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A C T S

PASSED BY

THE LEGISLATURE

OF THE

STATE OF VERMONT.

At their October Session,

1834.

PUBLISHED BY AUTHORITY.

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1834.

LAW

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LAWS OF VERMONT,

PASSED

OCTOBER SESSION,

A. D. 1834.

PUBLIC ACTS.

1.—An Act fixing the time at which public acts hereafter passed shall take effect, and be in force.

It is hereby enacted by the General Assembly of the State of Vermont, That all public acts, hereafter enacted by this or any future Legislature, shall take effect, and be in force, on, and from the first day of January next after their passing, and not before, unless otherwise therein provided. When public acts shall take effect.

[Passed Oct. 24, 1834.]

2.—An Act, in addition to an act, entitled, “an act in addition to an act constituting the Supreme Court of Judicature and County Courts, defining their powers and regulating judicial proceedings,” passed October thirtieth, one thousand eight hundred and twenty-eight.

SECTION 1. *It is hereby enacted by the General Assembly of the State of Vermont,* That whenever any person shall be in actual confinement, in any jail in this State, by virtue of a complaint for any offence against the

Comp. Laws,
Chap. 7.

Supreme Court
may receive plea
and sentence
prisoner confin-
ed in jail in cer-
tain case.

act, entitled, "an act for the punishment of certain inferior crimes and misdemeanors," and the several acts in addition thereto, or for any offence against the common law, the Supreme Court, at any term thereof, whether stated or adjourned, shall have power, and they are hereby authorized, on the application, in writing, of such person, in their discretion, to direct that an information be filed against such person, for the offence for which he, or she, stands charged, and on such information being filed, shall have power to receive and record a plea of guilty, and award sentence thereon, and to proceed in the trial of all questions of law arising upon such information.

In case issue of
fact be joined, to
be sent down to
County Court.

SEC. 2. *It is hereby further enacted*, That if upon the filing of such information, the respondent shall plead not guilty, or any other plea upon which an issue of fact shall be joined, the said information, with a certificate of the proceedings thereon, shall be sent down to the next county court, within the county in which said supreme court is there sitting, there to be tried according to law.

[Passed Nov. 6, 1834.]

3.—An Act, in addition to an act, entitled, "an act constituting a Court of Chancery."

Comp. Laws,
Chap. 8.

Effect of decree
of court of chan-
cery in certain
case.

It is hereby enacted by the General Assembly of the State of Vermont, That where a decree shall be made for a conveyance, release or acquittance, in the supreme court sitting as a court of chancery, and the party, against whom such decree shall be made, shall not comply therewith by the time appointed, then such decree shall be considered and taken, in all courts of law and equity, to have the same operation and effect, and be as available, as if the conveyance, release, or acquittance, had been executed conformably to such decree. *Provided always*, that whenever such decree as aforesaid shall be made for the conveyance, release or acquittance of titles to lands, tenements, or hereditaments, the party in whose favor such decree shall be made, shall in nowise be benefitted by the foregoing provisions of this act until he, or they, shall have caused a copy of such decree, certified by the clerk of said

court of chancery, to be duly recorded in the public records of deeds, in the office of the town clerk of the town in which such lands, tenements, or hereditaments, are situated.

Decree to be recorded.

[Passed Nov. 6, 1834.]

4.—An Act, in addition to an act, entitled, “an act constituting Probate Courts and defining their powers, and regulating the settlement of testate and intestate estates, and the guardianship of minors and insane persons.”

SECTION 1. *It is hereby enacted by the General Assembly of the State of Vermont,* That whenever the probate court shall decree the surplusage or residue of any intestate estate to such person or persons as are, by law, entitled to the same, if there be but one heir, or if the several heirs agree, the court aforesaid may decree and assign the same to said heir, or heirs, without appointing a committee for that purpose, as provided in the seventy-ninth section of the act to which this is in addition.

Comp. Laws,
Chap. 44.

Probate Court may assign surplus to heirs in certain case, without appointing committee.

SEC. 2. *It is hereby further enacted,* That when an executor or administrator of any estate shall have a claim against said estate, which shall be disallowed by the commissioners, and an appeal taken therefrom to the county court, as provided in the ninety-third and ninety-fourth sections of the act aforesaid, notice shall be given to all concerned by publication thereof, under an order of said court, in one newspaper printed within the same county, three weeks successively, the last of which shall be four weeks before the session of the court to which said appeal is taken, if there be so many, if not, as many as there be.

On appeal by executor or administrator from commissioners, notice how given.

SEC. 3. *It is hereby further enacted,* That whenever the executor or administrator of any estate is a debtor or creditor to said estate, the probate court may, on agreement and application, in writing, by and with all the heirs to said estate, refer any, or all demands and disputes aforesaid, under a rule of said court, to referees, in which case their award, being made and signed under their hands, and accepted by said court, shall be final in said matters.

Probate Court may refer claims in certain case.

Court may tax
cost in certain
case.

SEC. 4. *It is hereby further enacted,* That whenever a citation shall issue from any probate court on the petition or complaint of any person or persons, as provided in the thirteenth, sixty-sixth, and sixty-seventh sections of the act to which this is in addition, wherein such petitioner or complainant fails to make good his complaint, the court may, at discretion, tax costs for said petitionee, and issue an execution for the collection thereof.

Cost how taxed.

SEC. 5. *It is hereby further enacted,* That, in taxing the cost as provided in the fourth section of this act, the party recovering shall receive seventy-five cents for a full day's attendance, and fifty cents for a half-day, and five cents per mile for travel; and the court shall receive fifty cents for hearing, and the register fifty cents for recording the proceedings, and twenty-five cents for the execution issued.

Court empowered to extend
time for settlement of estates.

SEC. 6. *It is hereby further enacted,* That the forty-eighth section of the act to which this is in addition, shall be so construed that the probate court may, at discretion, extend the time to settle an estate, from time to time, on application, and after due notice as provided in the act aforesaid, but shall not extend the same for more than one year at any one time:—*Provided nevertheless,* that in no case shall the settlement of an estate be extended to a longer term than three years.

Proviso.

[Passed Nov. 6, 1834.]

5.—An Act, in addition to an act, entitled, “an act for the purpose of regulating suits respecting landed property, and directing the mode of proceeding therein,” passed November fifteenth, one thousand eight hundred and twenty.

Comp. Laws,
Chap. 20.

SECTION 1. *It is hereby enacted by the General Assembly of the State of Vermont,* That the said act, entitled, “an act for the purpose of regulating suits respecting landed property, and directing the mode of proceeding therein,” passed on the fifteenth day of November, in the year of our Lord, one thousand eight hundred and twenty, shall extend to all cases which are provided for in said act, in the same manner, and to the same extent, as though the last providing clause in the sev-

Provisions of
former act extended.

enth section thereof, nor any act in addition thereto, had never been passed.

SEC. 2. *It is hereby further enacted*, That the act above mentioned shall not extend to any person who shall enter upon, and take possession of, lands after the passing of this act. Limitation.

[Passed Nov. 6, 1834.]

6.—An Act, in addition to an act for the punishment of certain capital and other high crimes and misdemeanors.

It is hereby enacted by the General Assembly of the State of Vermont, That if any person shall unlawfully and maliciously set fire to, pull down, or in any wise destroy any bridge exceeding 20 feet span upon a turnpike road, or other public bridge, the person so offending, on conviction thereof, shall be confined to hard labor in the state's prison for a term not exceeding ten years, and be fined not exceeding one thousand dollars, or either of said punishments. Comp. Laws,
Chap. 31.

Punishment for
destroying
bridges.

[Passed Nov. 6, 1834.]

7.—An Act, in addition to an act; entitled, "an act for the punishment of certain inferior crimes and misdemeanors."

It is hereby enacted by the General Assembly of the State of Vermont, That if any person, or persons, shall hereafter keep and maintain, within this state, any common bawdy-house, house of ill fame, or place for prostitution, or shall be aiding, abetting, or assisting therein, every person so offending, his or her assistants, aiders, or abettors, on conviction thereof before any county or supreme court of judicature, shall be confined to hard labor in the state's prison, for a term not exceeding four years, nor less than one year, and be fined not exceeding three hundred dollars, or either of said punishments, in the discretion of the court. Comp. Laws,
Chap. 32.

Penalty for
keeping bawdy
house or place
of prostitution.

[Passed Nov. 6, 1834.]

8.—An Act to exempt females from imprisonment for debt.

It is hereby enacted by the General Assembly of the State of Vermont, That no female shall be hereafter arrested, or imprisoned, on mesne process, or on any execution issued on a judgment founded on any contract, made and entered into after the first day of January next.

[Passed Nov. 6, 1834.]

9.—An Act fixing the time when State's Attornies shall enter upon the duties of their office.

It is hereby enacted by the General Assembly of the State of Vermont, That from and after the passage of this act, the several state's attornies of this state shall enter upon the duties of their offices on the first day of December, in each year.

[Passed Nov. 6, 1834.]

10.—An Act relating to the Reports of the Supreme Court.

SECTION 1. It is hereby enacted by the General Assembly of the State of Vermont, That hereafter the reports of the supreme court shall be annually distributed among the several towns, in this state, in the same manner that the laws and other public documents are distributed.

SEC. 2. It is hereby further enacted, That the secretary of state shall cause all the reports, which now belong to the state to be distributed among the several towns as aforesaid, excepting such as he shall retain for the use of the state,—causing one copy of each volume to be delivered to each organized town in the state, and the remainder to be apportioned, as near as may be, in proportion to the general list of the several towns.

[Passed Nov. 6, 1834.]

- 11.—An Act making further provision for opening highways, and repairing and building bridges.

It is hereby enacted by the General Assembly of the State of Vermont, That whenever any bridge, which shall hereafter be ordered by a committee, appointed by the legislature of this state, or appointed by the supreme, or any county court within this state, to be built or repaired, and by such court established, shall not be built or repaired by the time ordered by said court, any town liable, by law, to build or repair said bridge, shall be liable to indictment for their neglect herein, by the grand jury empanelled at either of said courts, or on an information, filed by any state's attorney, and, on conviction, shall be fined in a sum equal to the whole expense of building or repairing said bridge, which fine, when collected, shall be expended in building or repairing said bridge, under the direction of a committee appointed by the court imposing said fine, in the same way as is now, by law, regulated in case of indictment against towns for not repairing highways.

Comp. Laws,
Chap. 53.

Towns neglecting to build or repair bridges liable to indictment, and may be fined in sum sufficient to build or repair such bridges.

Fine how expended.

[Passed Nov. 6, 1834.]

- 12.—An Act, in addition to an act, entitled, "an act establishing permanent salaries for certain officers and for regulating certain fees and taxable costs," passed November fifth, eighteen hundred and twenty-one.

Comp. Laws,
Chap. 40.

It is hereby enacted by the General Assembly of the State of Vermont, That sheriffs, high-bailiffs and constables, in serving each process by copy, shall be allowed six cents for every hundred words, instead of the sum now allowed by law.

Sum allowed sheriffs, high-bailiffs, and constables, for copies, regulated.

[Passed Nov. 6, 1834.]

- 13.—An Act to tax bank-stock not owned by residents in this state.

SECTION 1. *It is hereby enacted by the General Assembly of the State of Vermont,* That all bank-stock, in any bank in this state, not owned by residents therein, shall

Bank stock of non-residents taxed to corporation in the town where bank is located.

Cashier or principal officer to give statement of shares to listers.

Penalty for neglect of cashier or principal officer to give statement.

How recovered.

Estate of corporation liable, &c.

Lien of corporation on shares.

be taxed to the corporation in the town where such bank is located, in the same way and manner as other rateable estate, belonging to said corporation is, by law, taxed. And it shall be the duty of the cashier, or other principal officer of said corporation, on application of the listers of the town where said banks are located, within four days from the time of such application, to give a just and true account in writing of all the shares, and their amount in value, which shall be owned in said banks by individuals, not residing in this state, on the first day of April.

SEC. 2. *It is hereby further enacted,* That if any cashier, or other principal officer, of any bank, to whom any listers may make application as aforesaid, for the purpose aforesaid, shall neglect, or refuse, to furnish such listers with an account of all the shares, or the stock of such bank, not owned by residents in this state, said cashier, or principal officer, shall pay for such neglect, or refusal, a sum not less than one hundred dollars, nor more than five hundred dollars, to be recovered by an action of debt in the name, and for the use of the county in which such bank is located.

SEC. 3. *It is hereby further enacted,* That the rateable estate of said banking corporation shall be held subject, and be liable for all taxes assessed, as aforesaid, in the same way and manner as the estate of individuals is, or may be, by law, liable; and said corporation shall have a lien on all bank shares taxed as aforesaid, for the full amount of assessments, and said shares shall not be transferable until all taxes are paid which have been assessed as aforesaid.

[Passed Nov. 6, 1834.]

14.—An Act to repeal an act therein mentioned.

Comp. Laws,
Chap. 63: 64.

Former act repealed.

Provide.

It is hereby enacted by the General Assembly of the State of Vermont, That an act, entitled, "an act relating to retailers of spirituous liquors, directing the mode of obtaining licences, and regulating houses of public entertainment," passed November seventh, one thousand eight hundred and thirty-three, be, and the same is, hereby repealed. *Provided,* that said act shall be,

and remain in force, so far as relates to any license hitherto granted, and to all prosecutions now pending, or which may be commenced under said act, and to all penalties which have already, or may hereafter accrue, under the same.

[Passed Nov. 6, 1834.]

15.—An Act, in addition to an act, entitled, “an act for regulating and governing the militia of this state.”

Comp. Laws,
Chap. 96.

SECTION 1. *It is hereby enacted by the General Assembly of the State of Vermont,* That every captain or commanding officer of company shall, annually, on the first Tuesday in June, call his company together, for the purpose of examining and taking an exact account of every man's arms and equipments, and also for drill and discipline;—at which time every article required by the act to which this is in addition shall be brought to the place of parade;—when it shall be the duty of the orderly sergeant, or, in his absence, of some other person to be designated by the commanding officer for that purpose, to make out an exact roll of the arms and equipments which shall belong to each man: and every commandant of company shall keep constantly by him a roll, with the arms and equipments of every man annexed to his name as aforesaid, from which all detachments, and the annual company return, shall be regularly made, and the said roll shall be revised, corrected and completed on the first Tuesday in June annually, as aforesaid.

Commanding officer to call company together on first Tuesday in June.

Roll of arms, &c. to be made out.

SEC. 2. *It is hereby further enacted,* That the commissioned, non-commissioned officers, and musicians of each regiment shall rendezvous within their respective limits two days successively, between the first and fifteenth days of September annually, for the purpose of training and improvement in military discipline, the day and place of rendezvous to be designated in orders by the commandant of brigade, and on such days of rendezvous it shall be the duty of the brigade major and inspector to superintend the exercise and maneuvers, and to introduce the system of discipline established by law, and he shall take the command as drill

Officers and musicians to rendezvous two days each year for improvement in discipline.

Brigade major and inspector to superintend exercises.

officer so far as shall be necessary to the execution of those duties :—and the officers and musicians aforesaid may be required by the commandant of regiment to appear at any such rendezvous, with such arms and accoutrements as he may direct,—and he may require them to perform every duty belonging to commissioned and non-commissioned officers, and to privates ;—and each brigade major and inspector shall receive for each day's attendance as a drill officer as aforesaid two dollars, and the auditor of accounts is required to allow such accounts, and draw orders on the state's treasurer therefor.

And receive two dollars per day.

Commanding officer to call out company each year after officer drill.

SEC. 3. *It is hereby further enacted,* That every commandant of company shall annually call his company together for the purpose of military exercise and instruction, after the officer drill provided for in the second section of this act, and before the twentieth day of September, and at such time and place as such commanding officer may direct.

Regimental review once in two years.

SEC. 4. *It is hereby further enacted,* That the militia of this state shall be assembled once in two years, between the twentieth day of September and the fifteenth day of October, for review, inspection and discipline, by regiment or separate battallion, as the commandant of brigade shall direct ; and the several commandants of regiments shall appoint the place of parade, within the limits of their respective regiments :—and it shall be the duty of each commandant of brigade to attend, with the officers of the brigade staff, armed and equipped as the law directs, the annual inspection and review of the several regiments and separate battallions in his brigade.

Men to meet at 9 o'clock forenoon.

SEC. 5. *It is hereby further enacted,* That for all company trainings, officer drills, regimental or battallion review, heretofore provided for in this act, the men shall be warned to meet at nine o'clock in the forenoon, and they shall be kept through the day (necessary respites only excepted) in military exercise.

Dress of non-commissioned officers and privates.

SEC. 6. *It is hereby further enacted,* That the dress of all non-commissioned officers and privates, in the standing companies of the militia of this state, shall be that of a citizen's dress : and any non-commissioned officer or private who shall appear at any company training, battallion or regimental inspection or review, in a dress which shall excite or create any tumult or riot, or shall

be guilty of any unmilitary or disorderly conduct, shall be put under guard, and may be so kept at the discretion of the commanding officer of the company, battalion or regiment, until the company to which such disorderly person belongs be dismissed: and such person shall also be liable to a fine for such unmilitary or disorderly conduct of not less than two nor more than five dollars, according to the degree and aggravation of the offence,—said fine to be assessed, collected and appropriated in the same manner as is provided in the act to which this is in addition, for the assessment, collection and appropriation of fines imposed for non-appearance on parade.

Penalty for appearing in dress which shall excite tumult, and for unmilitary conduct.

SEC. 7. *It is hereby further enacted,* That the commandant of any volunteer company in this state may, in his discretion, call his company together, for military discipline and instruction, in addition to the times herein provided, not exceeding two days in each year.

Volunteer companies may be called out at other times.

SEC. 8. *It is hereby further enacted,* That the polls of persons subject by law to military duty, who shall be returned equipped, agreeably to the laws regulating and governing the militia of this state, shall be exempted from the payment of all taxes whatever, except district highway taxes:—whenever any minor in this state who is subject by law to military duty, and belonging to any company of cavalry, or foot company, or to any band of music, duly formed according to law, shall be equipped for such company according to law at the expense of, and by, the parents, masters or guardians, having the care of such minor, and shall be duly returned equipped by the officer whose duty it is, by law, to make such return, it shall be the duty of the listers to deduct, for each minor so returned equipped, from the list of such person, so equipping such minor the sum of ten dollars, for every purpose except district highway taxes. And if such minor shall belong to the cavalry, and be furnished by the person or persons having the care of such minor with a suitable horse for such company, in such case the listers shall deduct from the list of the parent, master or guardian of such minor the additional sum of three dollars, for all purposes except district highway taxes as aforesaid. And from the list of any person subject by law to do military duty in any company of cavalry in this state, who shall own a suitable horse for the cavalry, and be

Polls exempted from taxes.

Deductions from list of parents, &c., furnishing equipments, &c.

returned equipped as the law directs, the listers shall deduct the sum of three dollars for such horse, for all purposes except district highway taxes. And the polls of all persons subject by law to do military duty, and enrolled in the militia of this state, shall be exempted from the payment of state taxes.

Exemption from state taxes.

Proviso.

Provided always, That if it shall appear to the listers in any town in this state, on due examination thereof, that there has been an improper or false return by the commanding officer of any company or band of music, then said listers are hereby empowered, on satisfactory proof being exhibited to them, to correct said error.

Listers may correct errors in returns.

Former acts repealed.

SEC. 9. *It is hereby further enacted,* That all acts, and parts of acts, inconsistent with the provisions of this act, be, and the same are, hereby repealed.

[Passed Nov. 6, 1834.]

16.—An act, in addition to an act, entitled, “an act reducing into one the several acts for laying out, making, repairing and clearing highways.”

Comp. Laws,
Chap. 53.

SECTION 1. *It is hereby enacted by the General Assembly of the State of Vermont,* That whenever twenty or more freeholders of any town or towns in this state, in the vicinity of any place where a bridge, across any creek, river or stream dividing any two towns in this state, is wanted to be built or repaired, shall have on or before the first day of May in any year, applied to the selectmen of said towns, in writing, to build or repair said bridge, and the selectmen of said towns shall have neglected or refused, for the space of six months then next succeeding the first day of May, to build or repair such bridge, any twenty or more freeholders of the vicinity aforesaid may apply to the county court, in the county in which such towns are situate, for a committee to be appointed to view the premises, and, in their discretion, to establish and order the building or repairing such bridge; which petition shall, together with a citation to appear and show cause why the prayer of said petition should not be granted, be served on one or more of the selectmen of the towns to which such application had been made, as aforesaid, at least twenty days before the sitting

On neglect of selectmen to build or repair bridge between two towns, application may be made to county court for committee.

of said court; and the said court shall, in their discretion, appoint a committee in the same manner as is provided in an act passed November fifth, one thousand eight hundred and six, entitled, "an act in addition to an act entitled an act reducing into one the several acts for laying out, making, repairing and clearing highways;" which said committee shall be authorized and directed upon view of the premises, if in their opinion the public good so require, to order and direct the building or repairing of such bridge, at such place as they, or a majority of them, may think proper:—and may alter or lay out such highways as will be most convenient for crossing such bridge, and also order and direct the proportion of expense to be borne and sustained in building or repairing such bridge by each of said towns, having regard as well to the accommodation of each of said towns as to their ability to pay.

Duties of committee.

SEC. 2. *It is hereby further enacted,* That the several county courts in this state, in the appointment of said committee, and in accepting and acting on their report, and in taxing costs, and the committee aforesaid in the discharge of their several duties, shall be governed by the general laws of this state, provided the same be not inconsistent with the provisions of this act.

County Court and committee to be governed by general laws of this state.

[Passed Nov. 6, 1834.]

17.—An act, in addition to an act, entitled, "an act directing the proceedings against the trustees of concealed or absconding debtors."

It is hereby enacted by the General Assembly of the State of Vermont, That the clerk or magistrate signing any writ, made under the authority of the acts aforesaid, or the several acts in amendment, or addition thereto, shall take one recognizance to the trustee or trustees, and one to the principal debtor or debtors, and make a minute of such recognizances upon said writ, at the time of signing:—which recognizances shall be in such sum, and entered into by such person or persons, as such clerk or magistrate shall deem sufficient; and if any writ shall otherwise issue, the same, on motion shall abate.

Comp. Laws,
Chap. 13.

In trustee process, magistrate to take one recognizance to trustee and one to principal debtor.

[Passed Oct. 28, 1834.]

18.—An act in addition to the act regulating town meetings, and the choice and duty of town officers.

Comp. Laws,
Chap. 50.

Town clerk to
enter upon rec-
ord true time
when deed was
received, &c.

SECTION 1. *It is hereby enacted by the General Assembly of the State of Vermont,* That when any deed shall be left in the town clerk's office, in any town in this state, it shall be the duty of the town clerk to enter upon the record of such deed the true time of the day when the same was received in his office, and also to make a certificate thereof on such deed, and sign the same officially.

Also on copy of
attachments,
&c.

SEC. 2. *It is hereby further enacted,* That when any officer serving any process, on personal property, shall leave a copy of such process, as is by law provided, in the town clerk's office, he shall pay the town clerk ten cents for making the proper certificate, and preserving such copy in his office, and such sum shall be a legal item of fees for said officer; and it shall be the duty of said town clerk to enter on such copy the true time of the day when received.

[Passed Nov. 6, 1834.]

19.—An act, in addition to an act, entitled, "an act regulating town meetings and the choice and duty of town officers."

Comp. Laws,
Chap. 50.

Choice of list-
ers and grand
jurors to be by
ballot when re-
quested.

It is hereby enacted by the General Assembly of the State of Vermont, That whenever any town meeting shall be held in any town in this state, by virtue of the act to which this act is an addition, that the choice of listers and grand jurors for such town shall be by ballot whenever any legal voter at such meeting shall request the same.

[Passed Nov. 6, 1834.]

20.—An act, in addition to, and alteration of, an act entitled, "an act ascertaining the principles on which the list of this state shall be made and directing the listers in their duty."

Comp. Laws,
Chap. 48.

It is hereby enacted by the General Assembly of the State of Vermont, That all bank and insurance stock in this state, actually paid in, shall be set in the list at the rate

of six dollars for every hundred dollars paid in, instead of the amount now provided in the fifth section of the act to which this is in addition.

Bank and insurance stock to be set in list at six per cent.

[Passed Nov. 6, 1834.]

21.—An act, in addition to, and in alteration of, an act, entitled, “an act, in addition to an act entitled an act ascertaining the principles on which the list of this state shall be made, and directing listers in their office and duty,” passed October twenty eighth A.D. one thousand eight hundred and twenty nine.

It is hereby enacted by the General Assembly of the State of Vermont, That the form of the oath, prescribed in the third section of the act to which this is in addition, shall hereafter be as follows to wit.

Comp. Laws,
Chap. 48.

“You A. B. do solemnly swear (or affirm, as the case may be) that you will make a true and faithful disclosure of all bank and insurance stock, all monies on hand, debts due, or obligations, whether such debts or obligations are secured by mortgages or not, payable either in money or any other property, of which you were possessed on the first day of April last, whether such debts or obligations were then due, or were payable at an after day, over and above what was then due or owing from you, according to your best judgment and knowledge. So help you God.”

Form of oath.

[Passed Nov. 6, 1834.]

22.—An Act regulating the price of board of persons confined in jail.

It is hereby enacted by the General Assembly of the State of Vermont, That when any person shall be confined in any jail in this state, the keeper of such jail shall not be allowed to charge, or to receive from such prisoner, without his consent, or in any case from the overseers of the poor of the town where such jail is situated, for the board and fuel furnished such person, any greater sum than is now allowed, by law, for the board and fuel furnished state prisoners.

Price for board
of prisoners
regulated.

[Passed Nov. 6, 1834.]

23.—An act, in addition to, and amendment of, an act, entitled, “an act to encourage the destruction of foxes within this state.”

Person killing fox to apply to town clerk of town where he resides for certificate.

If killed in unorganized town may apply to town clerk of adjoining town.

It is hereby enacted by the General Assembly of the State of Vermont, That any person, who may hereafter become entitled to a premium by the provisions of an act, entitled, “an act to encourage the destruction of foxes within this state,” may make application for a certificate to the town clerk of the town in which such person resides, and such town clerk shall issue a certificate, as prescribed by said act, and such certificate shall be received and paid by the treasurer of this state, as is provided in and by said act, any thing contained in said act to the contrary notwithstanding. And if such fox be killed in an unorganized town, by a person residing in such town, application may be made to a town clerk of the next adjoining organized town for such certificate.

[Passed Nov. 6, 1834.]

24.—An act, in addition to an act, entitled, “an act for the Inspection of Beef, Pork, Flour, and Kiln-dried meal.

Comp. Laws,
Chap. 57.

SECTION 1. *It is hereby enacted by the General Assembly of the State of Vermont,* That if any person, or persons shall hereafter sell, or offer for sale, any flour in this state, by the barrel, before the same shall have been inspected agreeably to the provisions of the act to which this is an addition, whether manufactured in this state or elsewhere, or before the same shall have been inspected by some sworn inspector of this, or some other state or territory, in which the said flour may have been manufactured, agreeably to the provisions of the laws of such state or territory, he, she, or they, shall forfeit the sum of five dollars for each barrel of flour so sold, or offered for sale, as aforesaid, to be recovered by any person who may, in his, or her own name, prosecute the same to effect, before any court proper to try the same, with full costs.

Penalty for selling flour which has not been inspected.

Inspectors how appointed.

SEC. 2. *It is hereby further enacted,* That the civil authority, and selectmen of the several towns in this state, are hereby authorized and directed, when necessary, to appoint some suitable person, or persons, inspectors,

Penalty for taking bear or cub out of any trap.

son shall take any bear or cub out of any trap, thereby to defraud the owner or owners of such trap of his or their premium, he shall pay to the owner or owners of such trap the sum of twenty dollars for every bear or cub so taken out as aforesaid, to be recovered, with costs of prosecution, before any court of competent jurisdiction.

Former act repealed.

SEC. 4. *It is hereby further enacted*, That an act, entitled, "an act to encourage the destroying of bears within this state," passed November the ninth, one thousand eight hundred and thirty one, be, and the same is, hereby repealed.

[Passed Nov. 4, 1834.]

26.—An act in relation to contested elections.

Depositions to be admitted in cases of contested elections.

SECTION 1. *It is hereby enacted by the General Assembly of the State of Vermont*, That depositions taken in the manner hereafter prescribed shall be admitted to be read as evidence in all cases when the election of a member of the General Assembly is contested.

Person intending to contest election of returned member to apply to justice, who shall issue citation to adverse party:

SEC. 2. *It is hereby further enacted*, That whenever any person shall intend to contest the election of the returned member of any town in this state, such person shall, within six days next after such election, make application, in writing, to a justice of the peace of the same county, not an inhabitant of the town in which such election was held, who by law might judge between the parties, for a citation to the person whose election is to be contested, of the following tenor, to wit:

Form of citation.

STATE OF VERMONT, } *To the Sheriff of*
COUNTY, ss. } *County, his deputy,*
or any Constable of said County, GREETING.

Whereas application has been made to me, one of the justices of the peace for said county, by A. B. of in said county, setting forth that the election of C. D. as representative to the next General Assembly from the town of in said county is illegal and void, and that he the said A. B. shall contest the same:—Therefore, by the authority of the State of Vermont, you are hereby commanded to summon the said

C. D. to appear before me at the house of
in the town of in said county, on the day
of September, at o'clock forenoon, to be present at
the taking of the deposition of E. F. and G. to be used
before the General Assembly on the trial of the valid-
ity of the election of the said C. D. as a member of
the said General Assembly.

Hereof fail not, but legal service and due return
make.

Given under my hand at this day of
September, A. D.

Justice of Peace.

a copy of which citation shall be delivered to such
person, or left at his usual place of abode, in the care How served.
of some suitable person resident therein, by the officer
serving the same, at least six days before the time set
therein for the taking such depositions.

SEC. 3. *It is hereby further enacted,* That the returned Returned mem-
ber may also ap-
ply to justice,
&c.
member may also, if he choose, apply to a justice of
the peace as aforesaid, other than the one who issued
the citation against him, who may be present at the
same time and place, and take depositions in his be-
half, either of which justices shall have the same pow-
er to compel the attendance of witnesses before them Justices may
compel the at-
tendance of wit-
nesses.
that they would have in case a suit at law was pending
before them between the parties, and every such wit-
ness who shall be duly summoned, and his fees tender-
ed, shall attend and make deposition at the time and
place therein directed, within the town in which such
contested election was held.

SEC. 4. *It is hereby further enacted,* That every witness
shall be duly cautioned by such justice to tell the truth,
the whole truth, and nothing but the truth, and the
deposition written by the witness or the justice, signed
by the witness and sworn to, the justice shall certify
in the following manner, viz :

STATE OF VERMONT, } (Town) (Date) Form of certifi-
cate.
COUNTY. }

Then E. F. of in the county of
personally appearing, and after being carefully exam-
ined and duly cautioned, made solemn oath that the
foregoing deposition by him subscribed contains the
truth, the whole truth, and nothing but the truth.

Before Justice of Peace.

The above deposition taken at the request of
to be used before the General Assembly of
the State of Vermont on the trial of the validity of the
election of C. D. returned a member of said General
Assembly the said C. D. or A. B. (as the case may be)
was duly notified and did (or did not) attend the taking
thereof.

Justice of Peace.

Superscription. Which deposition shall be sealed up and superscribed
in the following manner—The within Deposition of
was taken and sealed up by me.

Justice of Peace.

Proviso. *Provided*, That the taking of all depositions contem-
plated by this act shall be closed at least six days be-
fore the day appointed for the meeting of the legisla-
ture.

Fees of justice. SEC. 5. *It is hereby further enacted*, That the fees of
the justice for taking one deposition for either party
shall be fifty cents, for each additional deposition thirty-
four cents, for citation thirty-four cents, for subpoena
for one witness twenty cents, each additional witness
six cents, for each continuance twenty-five cents; the
Of witness. fees for each witness shall be thirty-four cents for at-
tendance, and six cents per mile for travel, and the
Of Officer. officer's fees the same as now allowed by law for like
service in other cases.

Former act re- SEC. 6. *It is hereby further enacted*, That an act in re-
pealed. lation to contested elections, passed November tenth,
one thousand eight hundred and twenty-seven, be, and
and the same is, hereby repealed.

[Passed Nov. 6, 1834.]

27.—An act, appropriating a sum therein mentioned to defray the
expenses of the Council of Censors.

\$1000 appropri- SECTION 1. *It is hereby enacted by the General Assembly*
ated for Council of the State of Vermont, That there be, and hereby is,
of Censors. appropriated a sum of money not exceeding one thou-
sand dollars, to be paid out of any monies in the treasury
not otherwise appropriated, for the debentures of the
members of the Council of Censors, and for the contin-
gent expenses of said Council, already accrued, or
which may hereafter accrue.

Provided, That the debentures shall be made up at the following rate, to wit, the President shall be entitled to two dollars and fifty cents per day, the Secretary shall be entitled to two dollars and fifty cents per day,—and each other member of said Council, shall be entitled to one dollar and fifty cents per day: and for their travel to, and from, the place of meeting six cents per mile each way. Debentures how made up.

SEC. 2. *It is hereby further enacted*, That the Treasurer of this state be, and hereby is directed to pay out of the treasury for the purposes aforesaid, such sum, or sums of money as shall be certified by the Council of Censors as their legal debentures, and other contingent expenses, under this act. Treasurer to pay, &c.

[Passed Oct. 23, 1834.]

28.—An act, directing the mode of ascertaining the mileage of the members of the General Assembly.

It is hereby enacted by the General Assembly of the State of Vermont, That the Secretary of State shall, on or before the first day of January next, prepare, or cause to be prepared, a table showing accurately the distance of the several towns in the state, on the nearest stage routes, and, where there are no stage routes, on the nearest convenient roads, from the state house in Montpelier:—which table when prepared shall be kept in the office of the Secretary of State at Montpelier, and from which the mileage of the members of the General Assembly and of the Council shall hereafter be computed. Secretary of state to prepare table of distances of several towns from state house.

From which table mileage of members to be computed.

[Passed Nov. 6, 1834.]

29.—An act, to preserve fish in Berlin Pond.

It is hereby enacted by the General Assembly of the State of Vermont, That if any person, from and after the passing of this act, shall take, kill or destroy, by seine, gill-net, scoop-net, drag-net, snare, spearing, or in any other manner except by the ordinary way of fishing by Penalty for destroying fish in Berlin Pond.

hook and line, any pickerel, trout, or other kind of fish, in Berlin pond, or in the streams that run into, or out of, said pond; in Berlin in Washington County, he, she, or they, shall severally forfeit and pay a sum not exceeding thirty dollars, nor less than ten dollars, to be recovered in an action of debt before any justice of the peace proper to try the same : one half of the penalty, thus recovered, to go to the treasurer of the town of Berlin, and the other half to the person who shall prosecute the same to final judgment.

[Passed Nov. 6, 1834.]

30.—An act, to preserve the pickerel in Lake Memphremagog.

SECTION 1. *It is hereby enacted by the General Assembly of the State of Vermont,* That if any person or persons, shall take, kill, or destroy, any fish called pickerel, in that part of lake Memphremagog which lies within the county of Orleans, in any other way than the ordinary one of fishing with a single hook and line, he, she, or they, shall forfeit and pay a sum not exceeding ten dollars, nor less than five dollars for each and every such offence, to the treasurer of the county of Orleans, for the benefit of said county, to be recovered by action of debt, before any justice of the peace in said county, competent to try the same.

SEC. 2. *It is hereby further enacted,* That any person may sue for, and prosecute to final judgment, any breach of this act in his own name, and the name of the treasurer of said county, and upon the recovery thereof, one half of the penalty shall belong to such prosecutor, and the other half to said treasurer ; *Provided,* no action shall be sustained for the recovery of said penalty or forfeiture, unless the same shall be commenced within three months next after the offence shall be committed.

SEC. 3. *It is hereby further enacted,* That this act shall be and remain in force for the space of three years from the first day of March next, and no longer.

[Passed Nov. 6, 1834.]

31.—An act, to repeal an act therein mentioned.

It is hereby enacted by the General Assembly of the State of Vermont, That the act to preserve the fish in Green river, in Sandgate, passed October twenty-fourth, one thousand eight hundred and twenty-three, be, and the same is, hereby repealed.

[Passed Nov. 4, 1834.]

32.—An act, to repeal an act therein mentioned.

It is hereby enacted by the General Assembly of the State of Vermont, That an act, passed October twenty-third, one thousand eight hundred and twenty-three, to preserve the fish in the waters of Morristown, is hereby repealed.

[Passed Oct. 22, 1834.]

33.—An act, for the preservation of fish in Warner's pond in Londonderry.

SECTION 1. *It is hereby enacted by the General Assembly of the State of Vermont, That if any person, or persons, shall kill, take or destroy any pickerel in Warner's pond, so called, in Londonderry, in the county of Windham, in any way or manner whatever, between the first day of October and the first day of May, in any year, for the term of three years, and shall be convicted thereof, he, or they, shall forfeit and pay a sum not exceeding five dollars, nor less than two dollars, for each and every offence, to the treasurer of said town of Londonderry, with costs of prosecution, to be recovered in the name of said town, before any justice of the peace of the same county, in an action of debt.*

SEC. 2. *It is hereby further enacted, That any person, or persons, may sue for and prosecute to final judgment, in his, her, or their own name, and in the name of said town, and upon recovery thereof, one half of the penalty shall belong to such prosecutor, and the other half to said town.—Provided, no prosecution shall be had, unless the same shall be commenced within three months next after the offence shall be committed.*

[Passed Nov. 6, 1834.]

34.—An act, authorizing the Treasurer to borrow the sum therein stated.

Treasurer au-
thorized to bor-
row \$25,000

It is hereby enacted by the General Assembly of the State of Vermont, That the treasurer of this state be, and he hereby is, authorized to borrow a sum not exceeding twenty-five thousand dollars in the whole, for the purpose of defraying the expenses of government and appropriations that are, or hereafter may be, made.

[Passed Nov. 4, 1834.]

35.—An act, in addition to an act, entitled, “an act authorizing the building a State-House at Montpelier.”

Comp. Laws,
Chap. 75.

\$25,000 appro-
priated for state
house

It is hereby enacted by the General Assembly of the State of Vermont, That in addition to the sums heretofore appropriated for the builing of a state-house at Montpelier, there be, and hereby is, appropriated the sum of twenty-five thousand dollars—and the treasurer of this state is hereby directed to pay said sum to the committee appointed to superintend the building of said state-house, in pursuance of the act to which this is an addition, out of any monies in the treasury not otherwise appropriated.

[Passed Nov. 4, 1834.]

36.—An act, making appropriations for the support of Government.

\$40,000 appro-
priated for cer-
tain purposes.

SECTION 1. *It is hereby enacted by the General Assembly of the State of Vermont, That a sum not exceeding forty thousand dollars be, and the same is, hereby appropriated for the purpose of paying the debentures of the Lieutenant Governor, the Council, and the contingent expenses thereof, and for the debentures of the General Assembly, and the contingent expenses thereof, including the debenture of the auditor of accounts and such salaries as are provided by law, and such sums as are directed by special acts of the legislature, to be paid from the treasury.*

SEC. 2. *It is herby further enacted, That a sum not exceeding thirty thousand dollars, be, and the same is,*

hereby appropriated for the purpose of paying such demands against this state as may be allowed by the auditor of accounts, and such orders as may be drawn on the treasurer by the supreme and county courts.

\$30,000 appropriated for other purposes.

[Passed Nov. 4, 1834.]

37.—An act, assessing a tax for the support of Government.

It is hereby enacted by the General Assembly of the State of Vermont, That there be, and hereby is, assessed a tax of three cents on the dollar, on the list of the polls and rateable estate of the inhabitants of this state, for the year one thousand eight hundred and thirty-four; to be paid into the treasury of this state by the first day of June next, in money, certificates, or notes issued by the treasurer of this state, orders drawn by the auditor of accounts against the state, or orders drawn by, or under, the direction of the supreme court, or county courts.

Tax of three cents on dollar assessed.

How paid.

[Passed Nov. 4, 1834.]

38.—An act, annexing a part of the town of Hancock to the town of Rochester.

It is hereby enacted by the General Assembly of the State of Vermont, That lots number one hundred and seven, and one hundred and thirty-one, lying on the Emerson branch of White river in the south-east corner of the town of Hancock, in the county of Addison, be, and are, hereby annexed to the town of Rochester, in the county of Windsor, and the inhabitants who do, or may hereafter, inhabit said lots of land, hereby annexed to said Rochester, shall exercise and enjoy all the constitutional and legal rights, and be subject to the same liabilities, which the other inhabitants of said Rochester exercise and enjoy, or are liable to.

Part of Hancock annexed to Rochester.

[Passed Oct. 28, 1834.]

39.—An act, annexing a part of the town of Cabot to the town of Danville.

Part of Cabot
annexed to Dan-
ville.

It is hereby enacted by the General Assembly of the State of Vermont, That so much of the north-east part of the town of Cabot as lies northerly and easterly of the main brook entering into Joe's pond from the north and northerly and easterly of said Joe's pond, estimated at one hundred and forty acres, be, and the same is, hereby annexed, and shall become a part of the town of Danville, for all town purposes, the same as though said tract of land had been embraced in the original chartered limits of said town of Danville.

[Passed Nov. 4, 1834.]

40.—An act, to repeal an act therein mentioned.

Former act re-
pealed.

It is hereby enacted by the General Assembly of the State of Vermont, That an act, entitled, "an act annexing Savage Island to South Hero," passed November first, one thousand eight hundred and thirty-two, be, and the same is, hereby repealed.

[Passed Nov. 4, 1834.]

41.—An act, altering the name of Kingston.

Name of Kings-
ton altered to
Granville.

Proviso.

It is hereby enacted by the General Assembly of the State of Vermont, That the town of Kingston, in the county of Addison, shall hereafter be known and called by the name of Granville;—*Provided,* That for the term of seven years after the passing of this act, in all public notices and advertisements, which shall in any degree affect the exposure of lands in said township for sale at vendue for taxes, or otherwise, or shall respect any meeting or proceeding of the proprietors or owners of said township, the said town shall be called in such notices Granville, late Kingston, in the county of Addison.

[Passed Nov. 6, 1834.]

42.—An act, directing the Treasurer to pay the Board of Commissioners for the benefit of the Deaf and Dumb the sums therein mentioned.

It is hereby enacted by the General Assembly of the State of Vermont, That the treasurer be, and he hereby is, directed to pay to the order of the commissioners of the deaf and dumb a sum not exceeding three thousand dollars, annually, for nine years next ensuing, out of any money in the treasury not otherwise appropriated; it being for the benefit of the deaf and dumb that now are, or hereafter may be, under the care of said board of commissioners, to be appropriated agreeably to the provisions of an act passed November ninth, one thousand eight hundred and twenty-five, entitled, "an act for the benefit of the deaf and dumb."

Treasurer to pay certain sum to order of commissioners of deaf and dumb, for certain time.

[Passed Nov. 6, 1834.]

RESOLUTIONS.



43

In General Assembly, Nov. 5, 1834.

Resolved, The Governor and Council concurring herein, That the Governor, with the Speaker of the House of Representatives, be authorized to appoint five persons, whose duty it shall be to prepare and present to the legislature, at its next session, a bill which shall, in their opinion, provide for a just and equitable mode of making up the grand list, and assessing taxes in this state.

[Concurred, Nov. 6, 1834.]

44

In General Assembly, Oct. 24, 1834.

Resolved, The Governor and Council concurring herein, That the agent, appointed to settle the concerns of the Vermont State Bank, be, and hereby is, directed to report to the next session of the legislature the amount of property now belonging to said bank, whether personal or real estate, the value of said estate,—with a statement of the debts due said institution, designating the good, bad and doubtful, and cash on hand—and a statement of the whole expense of superintending the concerns of said bank since it ceased operations.

[Concurred, Oct. 24, 1834.]

45

In General Assembly, Nov. 6, 1834.

Resolved, The Governor and Council concurring herein, That the Governor be authorized and requested to appoint a committee, not to exceed three persons,

to revise the militia laws of this state, and prepare a bill, which may contain all the provisions necessary for regulating and governing the militia of this state, with such improvements in the existing system as may be deemed necessary, and report the same to the next session of the legislature.

[Concurred, Nov. 6, 1834.]

46

In General Assembly, Nov. 4, 1834.

Resolved, The Governor and Council concurring herein, That the several town clerks in this state be requested to forward to the secretary of state, on, or before, the sixth day of the next session of the legislature, a list of all insane persons in their respective towns, with their names, age, sex, cause and duration of their insanity, whether confined or not, together with a memorandum in reference to their own pecuniary ability, and that of others liable for their support and maintainance, and also such other information as may be deemed useful to promote the objects of the legislature, as herein indicated. And the secretary of state be, and he hereby is, directed to cause to be printed two hundred and fifty copies of this resolution, and transmit one copy thereof to each of said town clerks, as soon as may be.

[Concurred, Nov. 4, 1834.]

47

In General Assembly, Oct 21, 1834.

Resolved, The Governor and Council concurring herein, That George T. Hodges, of Rutland, and Leander Hutchins, of Waterbury, be, and hereby are, appointed a committee to attend at the State Prison, in the month of September next, to make an appraisal and inventory of all the property belonging to said prison, and also to settle with the superintendent, and investigate all the accounts of said prison, and report to the next session of the legislature.

[Concurred, Oct. 22, 1834.]

48

In General Assembly, Oct. 21, 1834.

Resolved, The Governor and Council concurring herein, That the committee, appointed to inventory and appraise the property belonging to the Vermont State Prison, be instructed to report the different items of expenditure, and enquire into the number and duties of the salary officers or servants, and the amount paid them, and that they also enquire whether any, and, if any, what alterations are necessary in the manner of conducting said prison.

[Concurred, Oct. 22, 1834.]

49

In General Assembly, Nov. 5, 1834.

Resolved, The Governor and Council concurring herein, that Daniel P. Thompson, Esq. be requested to compile the public acts of the present session, and add them to the volume compiled by him; and that the secretary of state be directed to collate and compare the same with the original acts recorded in his office, affix his official signature thereto, and procure three thousand copies of the same to be printed and bound, and delivered at the state-house, at the expense of the state.

[Concurred, Nov. 6, 1834.]

50

In General Assembly, Nov. 1, 1834.

Resolved, The Governor and Council concurring herein, That the State's Attorney, within and for the county of Orleans, suspend the collection of the debt due the State of Vermont from James Way, of Derby, until after the next session of the General Assembly, provided such delay, in the opinion of the said State's Attorney, will not be prejudicial to the final collection of the aforesaid debt.

[Concurred, Nov. 4, 1834.]

In General Assembly, Nov. 6, 1834.

TO THE GENERAL ASSEMBLY NOW SITTING :

The Committee of Ways and Means, to whom were referred those parts of the Governor's message, relating to the finances and to the Bank of the United States, having had the same under consideration, respectfully submit the following report—

That suitable protection to domestic industry and enterprise, and the furtherance of internal improvement of a national character, are essential to the defence and independence of the country, the prosperity of its agricultural, manufacturing and commercial pursuits, and the advancement of its general interests and welfare : That a national bank, with powers properly limited and restricted, is essential, if not indispensable, as a fiscal agent, as well as necessary to sustain and preserve a sound and uniform currency, and give the requisite facilities to trade, commerce and manufactures :

That an equitable distribution, among the several states, of the monies arising from the sale of the public lands, for the purpose of education and internal improvement, comports alike with sound policy and the principles of justice :—

That the maintenance of the just powers of each department of the Government, as confined and defined by the constitution, is essential to the preservation of public liberty and the perpetuity of our free institutions :—And that the Executive of the United States, in his late removal of the public monies from the place of custody established by law, exercised a power not given to him by the constitution or laws, but in derogation of both,—and in his late Protest to the Senate of the United States has asserted doctrines, and claimed for himself powers, at variance with the letter and spirit of the constitution, subversive of the legitimate authority of the other branches of the Government, and dangerous to the liberties of the people.

Your committee therefore beg leave to offer the following resolution—

Resolved, The Governor and Council concurring herein, That our Senators in Congress be instructed, and our Representatives be requested, by their influence and votes, to sustain the principles and policy

herein asserted, and especially to maintain inviolate the authority of the legislative department of the government, and resist all encroachments upon its constitutional powers.

Read and adopted,

E. D. BARBER, *Clerk.*

In Council, Nov. 6, 1834.

Read and concurred in,

GEO. B. MANSER, *Secretary.*

State of Vermont,

SECRETARY OF STATE'S OFFICE, }
MONTPELIER, Nov. 18, 1834. }

I certify that the foregoing fifty-one chapters are true copies of the original acts and resolutions, passed by the legislature of this state, on file in this office.

TIMOTHY MERRILL,

Secretary of State.

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PRIVATE ACTS.

GRANTS OF MONEY, AND REMISSION OF DEBTS DUE THE STATE.

- 1.—An act, directing the treasurer to pay Simeon A. Durfee the sum therein mentioned.

It is hereby enacted by the General Assembly of the State of Vermont, That the treasurer of this state be, and he is, hereby directed to pay Simeon A. Durfee the sum of twenty-six dollars and ninety-five cents; it being for money paid out for providing a carriage for a piece of ordnance belonging to this state. *Provided,* that the said carriage shall be and remain the property of this state.

Simeon A. Durfee \$26, 95.

[Passed Nov. 6, 1834.]

- 2.—An act, directing the treasurer to pay George B. Manser the sum therein mentioned.

It is hereby enacted by the General Assembly of the State of Vermont, That the treasurer of this state be, and he hereby is, directed to pay George B. Manser, the sum of twenty dollars and five cents; it being for monies by him expended in procuring to be framed certain prints, presented by Benjamin Owen Tyler, Esq. for the use of the council chamber of this state.

George B. Manser \$20, 05.

[Passed Nov. 6, 1834.]

- 3.—An act, directing the treasurer to pay Moses Hall the sum therein mentioned.

Moses Hall
\$5.00.

It is hereby enacted by the General Assembly of the State of Vermont, That the treasurer be, and is, hereby directed to pay Moses Hall the sum of five dollars, out of any monies in the treasury not otherwise appropriated ;—it being for bounty due to said Hall for killing a bear, in Plymouth, on the thirteenth day of September, now last past.

[Passed Oct. 28, 1834.]

- 4.—An act, directing the treasurer to pay Josephine Culver the sum therein mentioned.

Josephine Cul-
ver \$100.00.

It is hereby enacted by the General Assembly of the State of Vermont, That the treasurer of this state be, and is hereby, directed to pay Josephine Culver the sum of one hundred dollars, out of any monies in the treasury not otherwise appropriated; her husband having been killed by the blasting of rocks in preparing the site for the new state-house.

[Passed Oct. 25, 1834.]

- 5.—An act, directing the treasurer to pay the Bank Commissioners the sum therein named.

Harry Hale
\$56.00, Stephen
Haight \$56.00,
and Alexander
S. Campbell
\$72.00.

It is hereby enacted by the General Assembly of the State of Vermont, That the treasurer of this state be, and hereby is, directed to pay, out of the bank-fund, the sum of fifty-six dollars to Harry Hale, the sum of fifty-six dollars to Stephen Haight, and the sum of seventy-two dollars to Alexander S. Campbell: it being for their services the year past as bank commissioners.

[Passed Oct. 25, 1834.]

- 6.—An act, compensating the Superintendant of the Vermont State Prison.

It is hereby enacted by the General Assembly of the State of Vermont, That John H. Cotton be, and he hereby

is, allowed to credit himself upon the books of the State Prison the sum of eight hundred fifty dollars, it being for services and expenses as superintendant of the State Prison for the year ending on the first day of December, in the year of our Lord one thousand eight hundred and thirty-four.

John H. Cotton
allowed to credit
himself \$850.00.

[Passed Oct. 25, 1834.]

7.—An act, directing the treasurer to pay Harvey Bell the sum therein mentioned.

It is hereby enacted by the General Assembly of the State of Vermont, That the treasurer be directed to pay to Harvey Bell, out of any monies in the treasury not otherwise appropriated, the sum of thirteen hundred twenty-one dollars and sixty cents; it being for preparing and procuring to be printed and bound five hundred copies of the fifth volume of the reports and decisions of the supreme court.

Harvey Bell
\$1321.60.

[Passed Oct. 20, 1834.]

8.—An act, directing the treasurer to pay Cyrus Ware the sum therein mentioned.

It is hereby enacted by the General Assembly of the State of Vermont, That the treasurer be, and hereby is, directed to pay Cyrus Ware the sum of two hundred and four dollars and forty-five cents;—it being for monies by him expended in repairs on the state-house the year past.

Cyrus Ware
\$204.45.

[Passed Nov. 6, 1834.]

9.—An act, directing the treasurer to pay Daniel P. Thompson the sum therein mentioned.

It is hereby enacted by the General Assembly of the State of Vermont, That the treasurer of this state be, and he hereby is, directed to pay to Daniel P. Thompson, the

Daniel P.
Thompson
\$265.00.

sum of two hundred and sixty-five dollars, out of any monies in the treasury not otherwise appropriated, it being for his services the past year, in compiling the second volume of the laws of this state.

[Passed Nov. 6, 1834.]

10.—An act, directing the treasurer to pay to Mayo and Follett the sum therein mentioned.

Mayo & Follett
\$6.93.

It is hereby enacted by the General Assembly of the State of Vermont, That the treasurer of this state be directed to pay to Mayo and Follett the sum of six dollars and ninety-three cents, it being for storage, and cash paid for the freight of a map, and three boxes containing the laws of the United States, and the proceedings of Congress, forwarded for the use of this state.

[Passed Oct. 25, 1834.]

11.—An act, directing the treasurer of this state to pay Albert Stevens the sum therein mentioned.

Albert Stevens
\$30.00.

It is hereby enacted by the General Assembly of the State of Vermont, That the treasurer be, and is hereby, directed to pay to Albert Stevens the sum of thirty dollars, out of any monies in the treasury not otherwise appropriated, it being for expenses incurred in apprehending one Jefferson Severance, a felon, afterwards convicted.

[Passed Oct. 28, 1834.]

12.—An act, directing the treasurer to pay Sidney Andrews, Eleazer Whitcomb and Thomas G. French, Jr. the sums therein mentioned.

Sidney Andrews \$15.50;
Eleazer Whitcomb \$15.50.

It is hereby enacted by the General Assembly of the State of Vermont, That the treasurer be, and hereby is, directed to pay Sidney Andrews, the sum of fifteen dollars and fifty cents, Eleazer Whitcomb the sum of

fifteen dollars and fifty cents, and Thomas G. French, Thomas G. French, jr. \$3,00. jr. the sum of three dollars, out of any monies in the treasury not otherwise appropriated, it being for their travelling fees and attendance as witnesses before the General Assembly the present session.

[Passed Nov. 6, 1834.]

13.—An act, directing the treasurer to pay Silas Houghton the sum therein mentioned.

It is hereby enacted by the General Assembly of the State of Vermont, That the treasurer be, and hereby is, directed to pay Silas Houghton the sum of four dollars and fifty cents; it being for distributing the proclamation for Fast, in the year one thousand eight hundred and thirty-two, in the county of Caledonia. Silas Houghton. \$4,50.

[Passed Oct. 28, 1834.]

14.—An act, directing the treasurer of this state to pay Moses Morrill and William Morrill the sum therein mentioned.

It is hereby enacted by the General Assembly of the State of Vermont, That the treasurer of this state be directed to pay to Moses Morrill and William Morrill, the sum of twenty dollars, out of any money in the treasury not otherwise appropriated, being for money paid by them on account of having been bail for one Samuel Frizzle. Moses & William Morrill \$20,00.

[Passed Nov. 6, 1834.]

15.—An act, for the relief of Richard H. Little.

It is hereby enacted by the General Assembly of the State of Vermont, That the state's attorney for the county of Orange be, and he hereby is, directed to endorse one hundred dollars on a note, given by Richard H. Little of Chelsea, in the said county of Orange, to the treasurer of this state, as bail for his son Seaver Little. State's Attorney for Orange county to endorse \$100,00 on certain note.

[Passed Nov. 6, 1834.]

16.—An act, directing the treasurer of this state to give up a certain note therein mentioned.

Treasurer to
deliver up a cer-
tain note to Di-
vine T. Morse.

It is hereby enacted by the General Assembly of the State of Vermont, That the treasurer of this state be hereby directed to deliver to Divine T. Morse, a note of hand executed by said Morse to the treasurer of this state for the sum of twenty dollars, dated the twenty-first day of February in the year of our Lord one thousand eight hundred and thirty four:—it being given for license granted to said Morse to be a hawker and pedlar of domestic manufactured goods within this state, said Morse not having made use of said licence on account of sickness.

[Passed Oct. 28, 1834.]

17.—An act, directing the treasurer to pay Isaac F. Redfield and others the sums therein stated.

Isaac F. Red-
field \$33.00;
Martin Adams,
Ebenezer
Gould, Rufus
Stewart, Peleg
Redfield, Timo-
Hinman \$13.50
each—Nath. P.
Sawyer \$10.00,
Jasper Robin-
son \$5.00.

It is hereby enacted by the General Assembly of the State of Vermont, That the treasurer of this state be, and hereby is, directed to pay Isaac F. Redfield of Derby the sum of thirty-three dollars, Martin Adams of Newport the sum of thirteen dollars and fifty cents, Ebenezer Gould, Rufus Stewart, Peleg Redfield, Timothy Hinman, of Derby, the sum of thirteen dollars and fifty cents, each, and to Nathaniel P. Sawyer of Hyde- park the sum of ten dollars, and to Jasper Robinson of Brownington the sum of five dollars, out of any monies in the treasury not otherwise appropriated; it being for services performed, and expenses incurred, in carrying into effect a resolution of the General Assembly of this state in relation to the obstructions at the outlet of Lake Memphremagog, passed October twenty-ninth, one thousand eight hundred and thirty-two.

[Passed Nov. 6, 1834.]

18.—An act, for the relief of Samuel McLain.

It is hereby enacted by the General Assembly of the State of Vermont, That the state's attorney for the county

of Windsor be, and he hereby is, directed to deliver up to Gardner Winslow a note, executed by the said Winslow to the treasurer of the State of Vermont, for the sum of forty-eight dollars sixty-four cents, dated the twelfth day of July, A. D. one thousand eight hundred and thirty-four, and payable six months from the date of said note,—said note having been executed to secure the payment of a fine and cost imposed upon Samuel McLain by the county court for Windsor County, in its May term in one thousand eight hundred and thirty-four, for an assault and battery upon his wife.

State's Attorney for Windsor county to deliver up certain note.

Provided nevertheless, That the said note shall not be so delivered up until the said Winslow shall have paid to the said state's attorney the full amount of cost included in said note.

Proviso.

[Passed Nov. 6, 1834.]

19.—An act, directing the treasurer to pay Peter Gratton the sum therein mentioned.

It is hereby enacted by the General Assembly of the State of Vermont, That the treasurer of this state be, and he hereby is, directed to pay Peter Gratton the sum of fifty dollars and forty-five cents, out of any money in the treasury not otherwise appropriated; it being for money paid out and expended in mounting a piece of ordnance belonging to this state. *Provided nevertheless,* that the said carriage shall be and remain the property of this state.

Peter Gratton \$50.45.

[Passed Nov. 6, 1834.]

20.—An act, directing the treasurer of this state to credit the first constable of Berlin the sum therein mentioned.

It is hereby enacted by the General Assembly of the State of Vermont, That the treasurer be, and he hereby is, directed to credit the first constable of Berlin the sum of sixty-three dollars and fifty cents on the state tax of the town of Berlin, for the year one thousand eight

Treasurer directed to credit certain sum to first constable of Berlin.

hundred and thirty-three ; being an error in the grand list of said town.

[Passed Oct. 23, 1834.]

21.—An act, directing the treasurer to credit the first constable of the town of Williamstown the sum therein mentioned.

Treasurer to credit first constable of Williamstown certain sum.

It is hereby enacted by the General Assembly of the State of Vermont, That the treasurer of this state be, and hereby is, directed to credit the first constable of the town of Williamstown the sum of twenty-eight dollars and eighty-two cents, on the state tax for the year one thousand eight hundred and thirty-three;—it being for a mistake in the grand list of said town in the year aforesaid.

[Passed Oct. 28, 1834.]

22.—An act, for the relief of John Cornell.

Sum remitted to John Cornell.

It is hereby enacted by the General Assembly of the State of Vermont, That a note in favor of the treasurer of the state of Vermont against John Cornell of St. Albans, in the county of Franklin, for the sum of twenty-two dollars and ten cents, dated the twenty-sixth day of August, one thousand eight hundred and thirty-three, payable six months from the date thereof, be, and the same is, hereby remitted to the said John Cornell.

[Passed Oct. 22, 1834.]

23.—An act, for the relief of Simon Blanchard, Jr.

State's Attorney of Caledonia county authorized to cancel a certain judgement.

It is hereby enacted by the General Assembly of the State of Vermont, That the state's attorney of Caledonia county be, and he hereby is, directed to cancel a judgement in favor of said state against Simon Blanchard, jr. predicated upon a bond of recognizance entered into by said Blanchard for one Charles Guy, by the

said Blanchard's paying all the costs on the prosecution against said Guy, and the costs on the suit on said bond.

[Passed Nov. 6, 1834.]

24.—An act, for the relief of David Young.

It is hereby enacted by the General Assembly of the State of Vermont, That the state's attorney within and for the county of Rutland be, and hereby is, directed to discharge a certain bond of recognizance, entered in to by David Young in April last for one David E. Young, upon the said David Young's paying the cost of prosecution against said David E. Young, and the cost of prosecution on said bond of recognizance.

State's Attorney for Rutland county authorized to discharge a certain bond.

[Passed Oct. 22, 1834.]

LAND TAXES.



25.—An act, laying a tax on the lands in Canaan.

Tax assessed.	<i>It is hereby enacted by the General Assembly of the State of Vermont,</i> That there be, and hereby is, assessed a tax of four cents on each acre of land in the town of Canaan, in the county of Essex,—lands sequestered to public, pious and charitable uses excepted,—for the purpose of making and repairing roads, and building bridges in said town; to be expended under the direction of Zoraster Ladd, Moses Morrill and William Dennett, all of said Canaan, who are hereby appointed a committee to superintend the expenditure of said
Committee.	tax; provided that none of said tax is to be expended upon the river road (so called) on Connecticut river; at least one half of said tax to be expended in making new roads in said town, and building bridges thereon; and any justice of peace for the county of Essex is hereby authorized to issue his warrant to Heman Nicols, of said Canaan, who is hereby appointed a collector to collect said tax; and said committee and collector are hereby directed, in collecting, expending and accounting for the monies to be raised by said tax, to govern themselves in all things, by the general statutes of this state in such case made and provided.
How expended.	
Collector.	

[Passed Nov. 4, 1834.]

26.—An act, laying a tax on the lands in Brownington.

Tax assessed.	<i>It is hereby enacted by the General Assembly of the State of Vermont,</i> That there be, and hereby is, assessed a tax of four cents on each acre of land in the town of Brownington, in the county of Orleans,—lands sequestered to public, pious and charitable uses excepted,—
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for the purpose of making and repairing roads, and building bridges in said town; to be expended under the direction of Jeremiah Huntoon of Brownington, Committee. and Benjamin F. Robinson of Charleston, who are hereby appointed a committee to superintend the expenditure of said tax; to be expended on the new How expended. road laid out, leading from Westmore through said Brownington to Charleston, in said Orleans county; and should a balance remain after the completion of said new road, it shall be laid out on any other road in said town, at the discretion of the committee; and any justice of the peace for the county of Orleans is hereby authorized to issue his warrant to Amherst Stuart, Collector. of said Brownington, who is hereby appointed a collector to collect said tax; and said committee and collector are hereby directed, in collecting, expending and accounting for the monies to be raised by said tax, to govern themselves in all things, by the general statutes of this state in such case made and provided.

[Passed Oct. 31, 1834.]

27.—An act, laying a tax on the lands in Readsboro'.

It is hereby enacted by the General Assembly of the State of Vermont, That there be, and hereby is, assessed a Tax assessed. tax of four cents on each acre of land in the town of Readsboro', in the county of Bennington,—lands sequestered to public, pious and charitable uses excepted,—for the purpose of making and repairing roads, and building bridges in said town; to be expended under the direction of William Sanford, Caleb Bailey, Committee. and Thomas Canada, jr., all of said Readsboro', who are hereby appointed a committee to superintend the expenditure of said tax; and any justice of the peace for the county of Bennington is hereby authorized to issue his warrant to Henry Holbrook, jr., of said Collector. Readsboro', who is hereby appointed a collector to collect said tax; and said committee and collector are hereby directed, in collecting, expending and accounting for the monies to be raised by said tax, to govern themselves in all things, by the general statutes of this state in such case made and provided.

[Passed Oct. 28, 1834.]

28.—An act, laying a tax on the lands in Bloomfield.

It is hereby enacted by the General Assembly of the State of Vermont, That there be, and hereby is, assessed a tax of four cents on each acre of land in the town of Bloomfield, in the county of Essex,—lands sequestered to public, pious and charitable uses excepted,—for the purpose of making and repairing roads, and building bridges in said town; to be expended under the direction of Jeremiah Jorden, Henry Fuller, and John M. French, who are hereby appointed a committee to superintend the expenditure of said tax; said tax to be appropriated in the following manner, to wit:—three fourth parts of said tax to be expended in making new roads in said town, and in building bridges on said new roads,—the remainder of said tax to be appropriated at the discretion of the committee, provided that no part of said tax shall be expended upon the river road (so called) lying on Connecticut river—said new roads to be laid out under the direction of the committee aforesaid:—and any justice of the peace for the county of Essex is hereby authorized to issue his warrant to Levi Tolles, of Bloomfield, aforesaid, who is hereby appointed a collector to collect said tax; and said committee and collector are hereby directed, in collecting, expending and accounting for the monies to be raised by said tax, to govern themselves in all things, by the general statutes of this state in such case made and provided.

[Passed Nov. 4, 1834.]

29.—An act, laying a tax on the lands in the town of Morgan.

It is hereby enacted by the General Assembly of the State of Vermont, That there be, and hereby is, assessed a tax of four cents on each acre of land in the town of Morgan, in the county of Orleans,—lands sequestered to public, pious and charitable uses excepted,—for the purpose of making and repairing roads, and building bridges in said town; to be expended under the direction of William Cobb, Austin Bartlett, and James P. Tyler, of said Morgan, who are hereby appointed a committee to superintend the expenditure of said

tax; and any justice of the peace for the county of Orleans is hereby authorized to issue his warrant to Jotham Cummings of Morgan, who is hereby appointed a collector to collect said tax; and said committee and collector are hereby directed, in collecting, expending and accounting for the monies to be raised by said tax, to govern themselves in all things, by the general statutes of this state in such case made and provided.

[Passed Oct. 23, 1834.]

30.—An act, laying a tax on the lands in Westmore.

It is hereby enacted by the General Assembly of the State of Vermont, That there be, and hereby is, assessed a tax of four cents on each acre of land in the town of Westmore, in the county of Orleans,—lands sequestered to public, pious and charitable uses excepted,—for the purpose of making and repairing roads, and building bridges in said town; to be expended under the direction of Isaac Denison, John C. Page and William Bickford, who are hereby appointed a committee to superintend the expenditure of said tax; said tax to be appropriated upon the new road, leading from lot number fifty-seven to lot number sixty-nine in said town, along the northerly shore of Willowby Lake, so called;—and any justice of the peace for the county of Orleans is hereby authorized to issue his warrant to Lucius Denison, of Burke, who is hereby appointed a collector to collect said tax; and said committee and collector are hereby directed, in collecting, expending and accounting for the monies to be raised by said tax, to govern themselves in all things, by the general statutes of this state in such case made and provided.

[Passed Oct. 23, 1834.]

31.—An act, laying a tax on the lands in Glastenbury.

It is hereby enacted by the General Assembly of the State of Vermont, That there be, and hereby is, assessed a

Committee.

Collector.

tax of four cents on each acre of land in the town of Glastenbury, in the county of Bennington,—lands sequestered to public, pious and charitable uses excepted,—for the purpose of making and repairing roads, and building bridges in said town; to be expended under the direction of Elias Elwell and Elisha Punderson of Shaftsbury, and Luther Park of Searsburgh, who are hereby appointed a committee to superintend the expenditure of said tax; and any justice of the peace for the county of Bennington is hereby authorized to issue his warrant to Mark Hotchkiss, of said Glastenbury, who is hereby appointed a collector to collect said tax; and said committee and collector are hereby directed, in collecting, expending and accounting for the monies to be raised by said tax, to govern themselves in all things, by the general statutes of this state in such case made and provided.

[Passed Nov. 6, 1834.]

32.—An act, laying a tax on the lands in Goshen Gore and Harris' Gore.

Tax assessed.

Committee.

Collector.

It is hereby enacted by the General Assembly of the State of Vermont, That there be, and hereby is, assessed a tax of four cents on each acre of land in Goshen Gore and Harris' Gore, in the county of Caledonia,—lands sequestered to public, pious and charitable uses excepted,—for the purpose of making and repairing roads, and building bridges in said gores; to be expended under the direction of Stephen Perkins of Plainfield, in the county of Washington, and Jonathan Perkins and Nathaniel Carnes of Goshen Gore in Caledonia county, who are hereby appointed a committee to superintend the expenditure of said tax; and any justice of the peace for the county of Caledonia is hereby authorized to issue his warrant to George B. Chandler of Danville, in the county of Caledonia, who is hereby appointed a collector to collect said tax; and said committee and collector are hereby directed, in collecting, expending and accounting for the monies to be raised by said tax, to govern themselves in all things, by the general statutes of this state in such case made and provided.

[Passed Nov. 6, 1834]

33.—An act, to revive, and in alteration of, an act, entitled, “an act, laying a tax on the lands in Wolcott,” passed October twenty-fourth, one thousand eight hundred and thirty-three.

SECTION 1. *It is hereby enacted by the General Assembly of the State of Vermont,* That the act, laying a tax on the lands in Wolcott is hereby revived, and that the time allowed for the collection and expenditure of said tax; and for all other purposes, shall be the same as though said act had been passed at the present session of this legislature. Act of 1833
revived.

SEC. 2. *It is hereby further enacted,* That instead of Joseph Bailey, appointed by said act, one of the committee named in said act to superintend the expenditure thereof, Joseph Brailey of said Wolcott is hereby appointed one of the committee to superintend the expenditure of said tax. Committee.

[Passed Nov. 4, 1834.]

34.—An act, to revive an act laying a tax on the lands in Waterville.

It is hereby enacted by the General Assembly of the State of Vermont, That an act entitled, “an act laying a tax on the lands in Waterville,” passed November first, one thousand eight hundred and thirty, be, and the same is, hereby revived, so far as to allow the committee and collector, named in said act, one year from the passing of this act to complete the duties assigned them by said act; and the doings of said committee and collector, agreeable to said act, shall be valid and binding, as though the same had been done within two years from the passing of said act. Act of 1830
revived.

[Passed Nov. 4, 1834.]

35.—An act, to revive an act laying a tax on the town of Searsburgh.

It is hereby enacted by the General Assembly of the State of Vermont, That an act entitled, “an act laying a tax on the lands in Searsburgh,” passed October twenty- Act of 1833
revived.

fifth, one thousand eight hundred and thirty-three, be, and the same is, hereby revived ;—and that the time allowed for the collection and expenditure of said tax, and for all other purposes, shall be the same as though said act had been passed at the present session of the legislature.

[Passed Oct. 20, 1834.]

INCORPORATIONS.



36.—An act, to incorporate the President, Directors and Company of the Farmers and Mechanics Bank.

SECTION 1. *It is hereby enacted by the General Assembly of the State of Vermont,* That the subscribers to the capital stock of the Bank, established by this act, their successors and assigns, shall be, and hereby are, constituted a corporation and body politic, by the name of the *Farmers and Mechanics Bank*, and shall so continue and have succession until the first day of January, which will be in the year of our Lord one thousand eight hundred and fifty, and by that name may sue and be sued, may have a common seal and the same alter at pleasure, and shall be capable of purchasing, holding and conveying estate, real and personal, for their own use, and shall have and enjoy all the privileges incident to corporations; and the said Bank shall be established at Burlington, in the county of Chittenden.

Farmers and Mechanics Bank incorporated.
Limitation of grant.
Rights, powers, &c. of corporation.

SEC. 2. *It is hereby further enacted,* That the capital stock of said Bank shall be one hundred and fifty thousand dollars, and shall be divided into three thousand shares of fifty dollars each.

Amount of capital stock and number of shares.

SEC. 3. *It is hereby further enacted,* That books for receiving subscriptions for shares in said Bank shall be opened at said Burlington, within six months from and after the passing of this act, under the direction of William A. Griswold, Archibald W. Hyde, John Peck, Harry Bradley and George P. Marsh, of said Burlington, John Smith of St. Albans, and Joseph Clark of Milton, or a majority of them, who are hereby appointed commissioners for that purpose, and who shall be sworn to a faithful discharge of their duty, and said books shall continue open from ten to four o'clock, on each day, Sundays excepted, for the space of ten days, and thereafter, until the whole number of shares shall

Books when and where to be opened.
Commissioners.

Directions for
deduction of ex-
cess of subscrip-
tions.

Duties of com-
missioners.

Meeting for
election of di-
rectors, by
whom and how
called.

Proviso.

Concerns of
bank to be man-
aged by seven
directors.

be subscribed; and the subscribers shall, at the time of subscribing, deposit with the commissioners, in gold or silver coin, five dollars, upon each share by them subscribed; and if, at the end of said ten days, the number of shares shall exceed three thousand, the excess shall be deducted from the highest subscriptions, so as not to deprive any person who has subscribed for a small number of shares, while any other person holds a larger number of shares, and continue so to reduce from the highest subscriptions, reserving entire shares, until the whole number of shares shall not exceed three thousand; and said commissioners shall deliver to the directors of said Bank, within ten days after they enter upon the duties of their office, a list of the names of all the subscribers entitled to shares in said Bank, and the number of shares to which each is entitled, and the sum by each deposited with them, under their hands, or a majority of them, and also all monies by them received as deposits on such shares; which list the said directors shall cause to be recorded in the records of said Bank, and thereupon issue certificates to such subscribers for their shares.

SEC. 4. *It is hereby further enacted*, That it shall be the duty of said commissioners, at the expiration of said ten days, or as soon thereafter as they shall think proper, to call a meeting of the subscribers to said Bank, at such time and place as they shall think proper, by publishing a notice thereof, signed by them, or a majority of them, in all the newspapers printed in said Burlington, two weeks successively, previous to said meeting, for the purpose of electing seven directors of said Bank.

Provided, That no operations shall be commenced at said Bank, until the said number of three thousand shares shall be subscribed, and the sum of seventy-five thousand dollars of said capital stock be paid into said Bank.

SEC. 5. *It is hereby further enacted*, That the stock, property and concerns of said Bank shall be managed and conducted by seven directors, a majority of whom shall constitute a quorum for the transaction of business; who shall be stockholders in said Bank, and inhabitants of this state; and shall hold their offices until the second Tuesday of January next succeeding their appointment; and until their successors are ap-

pointed and qualified ; and shall be elected on the second Tuesday of January, annually, after the first election, as aforesaid, at such time of the day and place, in said Burlington, as a majority of the directors, for the time being, shall direct ; public notice whereof shall be given, not less than thirty days previous to such election ; and that all such elections shall be made by ballot, by the stockholders of said Bank, who shall be present, personally, or by proxy ; and the seven persons who shall have the greatest number of votes, at any such election, shall be directors. And if it shall so happen, that any two or more persons shall have an equal number of votes, in such manner that a greater number than seven shall, by plurality of votes, appear to be elected, the stockholders shall proceed to ballot a second time, and, by a plurality of votes, determine which of said persons, so having an equal number of votes, shall be director or directors, and in like manner proceed, until seven directors are elected. And in case any vacancy in the board of directors shall, at any time, happen, by death, resignation, or removal, the same shall be filled from among the stockholders of said Bank, by a major vote of the remaining directors.

Directors when to be elected.

Notice of election to be given.

Elections how made.

Vacancies how filled.

SEC. 6. *It is hereby further enacted,* That in case if should so happen that an election of directors should not be made, on the day in this act prescribed for that purpose, the said corporation shall not, for that cause, be dissolved, but that it shall be lawful, on any other day, to hold and make an election of directors in such manner as shall have been directed by the by-laws of such corporation.

Directors may be elected on day other than that prescribed.

SEC. 7. *It is hereby further enacted,* That the directors of said Bank shall have power to appoint one of their number President of said Bank ; and also to appoint all other officers and servants, necessary for the management of the concerns of said corporation ; and to fix the allowance for the compensation of said officers and servants ; and to make and prescribe such by-laws, rules and regulations, as to them shall appear necessary and proper, not repugnant to the constitution or laws of this state, relating to the management and disposition of the stock, property, estate and effects of said corporation, and to the duties and conduct of the officers, clerks and servants employed by said corporation, and to the election of directors, and to

Directors to appoint President and other officers and enact by-laws.

all other matters appertaining to the business of said Bank.

Limitation of debts which may be contracted by bank.

SEC. 8. *It is hereby further enacted,* That the directors of said Bank shall not, at any time, contract debts to a greater amount than the deposits in said Bank, and three times the amount of the capital stock then paid, in specie, into said Bank, and, in case of excess, the directors; under whose administration it shall have happened, shall, in case of loss, be liable for the same in their private and natural capacities; but this shall not be construed to exempt said corporation from being liable for such excess.

Directors liable in private capacity in certain case.

Individual directors exonerated in certain case.

Provided nevertheless, That such of the directors as may have been absent when such excess was contracted, or may have dissented from the resolution or act, whereby the same was so contracted, may exonerate themselves from being liable, as aforesaid, by giving immediate notice of the fact, and of their absence or dissent to the Governor of this state.

Shares transferable.

SEC. 9. *It is hereby further enacted,* That the shares in said Bank shall be transferable, in such manner as shall be prescribed by the by-laws of said corporation.

Transfer regulated.

Provided, that no transfer shall be valid until the same shall be recorded in a book to be kept by the directors, in said Bank, for that purpose, and unless the person making the same shall have previously discharged all the debts due from him, or her, to said corporation.

Holding real estate restricted.

SEC. 10. *It is hereby further enacted,* That the real estate, which it shall be lawful for said corporation to hold, shall be only such as shall be requisite for its accommodation in relation to its business and dealings, as a banking company; or such as shall have been mortgaged to it, by way of security, or conveyed to it in satisfaction of debts previously contracted in the course of its dealings, or set off on execution, in satisfaction of debts due to said corporation.

Dealing in goods, &c. prohibited.

SEC. 11. *It is hereby further enacted,* That said corporation shall not, directly or indirectly, deal or trade in buying or selling any goods, wares, or merchandize, or commodities whatsoever.

Directors to order payment of assessments on shares.

SEC. 12. *It is hereby further enacted,* That it shall be lawful for the directors, for the time being, to order and determine at what time, or times, and in what proportions, the sums unpaid on such shares, or any part

of the same, shall be paid into said Bank, and they shall give notice thereof by publishing their order in the newspapers printed in said Burlington, three weeks successively, the last of which shall be, at least, thirty days before such day of payment; and if any stockholder shall neglect to make payment on any share, agreeably to such order, such share, and all monies previously paid thereon, and all dividends accruing, or due thereon, shall be forfeited to the use of such corporation.

And give notice thereof.

Shares forfeited on non-payment of assessments.

SEC. 13. *It is hereby further enacted,* That it shall be the duty of the directors to make half yearly dividends of so much of the profits of said Bank as they shall think proper.

Directors to make semi-annual dividends.

SEC. 14. *It is hereby further enacted,* That the said corporation shall not demand any greater interest, on any loan or discount, than at the rate of six per centum per annum.

Rate of interest limited.

SEC. 15. *It is hereby further enacted,* That each stockholder shall be entitled to a number of votes proportioned to the number of shares, which he or she shall hold in his or her own name, at least three months, next before the time of voting, according to the following rates, that is to say; one vote for each share not exceeding four; five votes for six shares; six votes for eight shares; seven votes for ten shares; and one vote for every five shares above ten.

Number of votes to which stockholders are entitled.

Provided, That no stockholder shall be entitled to more than twenty votes.

Proviso.

SEC. 16. *It is hereby further enacted,* That the shares of said corporation shall be personal estate, to all intents and purposes; and when any share or shares shall be attached on mesne process, the officer serving the same shall leave with the cashier of said Bank an attested copy of such process, with his doings thereon: and such share or shares may be taken and sold, on execution, in the same manner as is, or may be, provided for the sale of other personal estate; the purchaser causing an attested copy of the execution, and the officer's return thereon, to be left with the cashier of said Bank, within twelve days after such sale, and paying for recording the same; which shall pass to the purchaser all the right of the stockholder, for whose debt the same was sold, in such share or shares. And whenever any officer, duly authorized therefor, shall

Shares declared personal estate.

How attached.

May be sold on execution.

Right in purchaser how vested.

Officer appearing to attach or levy execution on shares, duty of cashier, appear at said Bank, for the purpose of making an attachment of any share or shares in said corporation, owned by any debtor, or for the purpose of levying execution thereon, it shall be the duty of the cashier to produce such officer the books of said corporation, so far as to enable such officer to ascertain the number of shares owned by the debtor, and give such officer a certificate under his hand, in his official capacity, certifying the number of shares owned by such debtor, with the dividends due thereon, and the lien of the corporation on such share or shares.

Bills and notes of bank to be received on all demands in favor of bank. SEC. 17. *It is hereby further enacted,* That the bills and notes of said Bank shall, at all times, be received by said Bank, on all judgements, executions, or demands, of any nature whatsoever, originally due or owing to said Bank, or which may be their property at the time of payment; and all bills and notes shall be made payable at said Bank in Burlington.

Proviso. *Provided,* That no note, originally due, or payable to said corporation, shall be endorsed, so as to enable the endorsee, or endorsees, to maintain an action thereon, in his, or their, own name.

Loan to be made to the state if required. SEC. 18. *It is hereby further enacted,* That within one year after the passing of this act, and at any time thereafter, whenever requested by the legislature, if the same can be done without violating the provisions of the eighth section of this act, the said corporation shall loan to this state, any sum or sums of money, so that not exceeding fifteen thousand dollars be, at any one time, due from said state to said Bank; to be repaid by five annual instalments, or sooner, at the election of the state, with annual interest.

Legislature shall appoint committee to examine into doings of bank. SEC. 19. *It is hereby further enacted,* That the legislature of this state, shall, at each session, appoint a committee, who shall be under oath for the faithful discharge of their duty as such, who shall not be stockholders in said Bank, whose duty it shall be, to examine into the doings of said corporation, and shall have free access to their books, papers and vaults, and power to enquire of the cashier, or any other officer of said Bank, under oath, relative to the concerns of said Bank, and make report of their doings to the legislature; and if such committee shall consider that the corporation have exceeded their powers, herein granted, or have failed to comply with the conditions of this act,

they shall have power, and it is hereby made their duty, to direct the state's attorney for the county of Chittenden, or such other person as they shall appoint, to file an information against said corporation, before the supreme court of judicature, in and for the county of Chittenden; which shall be served on one or more of the directors of said Bank, at least twelve days before the sitting of the court to which the same is made returnable; and if, upon trial of said cause, it shall be found that said corporation have exceeded the powers herein granted to them, or have failed to comply with the conditions of this act, said court is, in its discretion, hereby empowered, to declare said charter vacated.

Duty of committee to cause information to be filed against bank in certain case.

Sup. Court may declare charter vacated.

Provided always, That the persons, composing such committee, shall, previous to such examination, make oath that they will never, thereafter, divulge the name of any individual debtor to said Bank, unless thereto required by a court of justice, in due course of law.

Committee to make oath not to divulge names of bank debtors.

SEC. 20. *It is hereby further enacted,* That said corporation shall not, at any time, suspend or refuse payment, in gold or silver coin, of any of its notes, bills or obligations; nor of any moneys received as general deposits in said Bank; and if said corporation shall neglect or refuse to pay, on demand, any such bill, note or obligation or deposit to the person or persons entitled to receive the same, such person shall be entitled to receive and recover interest on such note, bill, obligation or deposit, until the same shall be paid or satisfied, at the rate of twelve per cent. per annum, from the time of such demand.

Corporation not to suspend or refuse specie payments.

Provided always, That the legislature may, at any time hereafter, enact laws enforcing and regulating the recovery of the notes, bills, obligations and other debts, of which payment shall have been refused, as aforesaid, with the rate of interest abovementioned.

Legislature may enact laws enforcing recovery against bank.

Provided also, That the supreme court shall have the power of declaring the charter of said Bank vacated, in the manner provided in the nineteenth section of this act, for the non-payment of the debts of said corporation.

Sup. Ct. may vacate charter for suspension of payments.

SEC. 21. *It is hereby further enacted,* That each and every of the directors of said Bank shall, before he enters upon the duties of his office, give a bond to the treasurer of this state, in the sum of twelve thousand dollars, with good and sufficient surety, or sureties, to

Directors to give bonds.

Condition of
bond.

Bonds may be
prosecuted on
complaint.

To plea of per-
formance prose-
cutor may reply
breaches and
judgement be
entered for pen-
alty.

Judgement shall
remain as surety
to others injured

This act declar-
ed a public act.

Bank to be in
operation in one
year.

Corporation to
pay into treas-
ury 10 per cent on
stock owned
within this state.

the satisfaction of said treasurer, conditioned for the faithful discharge of the duties of his office; agreeably to the regulations, requirements, and restrictions of this act; and on the complaint of any person, who has been injured by the misconduct of any director, it shall be the duty of said treasurer to cause said bond to be put in suit, on receiving security to indemnify the state against costs, and to certify to the court the name of the prosecutor in such cause; and said court may, on motion of the defendants in said cause, order the prosecutor to find sureties to indemnify the defendants for their costs, should he fail to prosecute or recover thereon; and if the defendants shall plead performance of the conditions of said bond, the prosecutor may reply as many breaches respecting his interest, as he shall think fit; and the jury, on trial of such issues as shall be put to them, shall assess damages for such breaches as the prosecutor shall prove, and the court shall enter up judgement for the whole penalty of the bond, and issue execution in favor of the prosecutor, for such sum as the jury shall have found for damages and the cost, and the judgement shall remain for the benefit of such person or persons as may, by a *scire facias* thereon, shew that they have been injured by any breaches of the condition of said bond; and if the prosecutor shall fail to recover in such suit, the court shall award costs to the defendant, and thereof issue execution against such prosecutor.

SEC. 22. *It is hereby further enacted*, That this act be, and hereby is, declared to be a public act; and that the same be, for the time herein before limited, construed in all courts and places, benignly, and favorably for every beneficial purpose therein mentioned.

SEC. 23. *It is hereby further enacted*, That the said corporation shall take no benefit by this act, and that the same shall be wholly void, unless the said Bank shall commence and be in operation, agreeably to the provisions of this act, within one year after the passing of the same.

SEC. 24. *It is hereby further enacted*, That the said corporation shall, semi-annually, at the time at which the directors of said Bank shall declare the dividends of the profits of said Bank, pay into the treasury of this state, for the use and benefit of this state, ten per centum of the profits of said Bank; whether all the prof-

its shall have been divided or not, on all stock owned within this state; and twelve per centum of said profits on stock owned without this state. And 12 per cent on stock owned without this state.

SEC. 25. *It is hereby further enacted,* That the commissioners appointed agreeably to the provisions of the third section of this act, and the committee appointed agreeably to the provisions of the nineteenth section of this act, shall, severally, have a right to demand and receive of said corporation, a remuneration for all services by them performed, agreeably to the requirements of this act. Commissioners and committee to receive compensation of corporation.

SEC. 26. *It is hereby further enacted,* That in case there shall be more than three thousand shares subscribed to said Bank, the commissioners for receiving such subscriptions shall, in deducting the excess, give a preference to the inhabitants of this state, so that they may hold the whole of said stock; and in case it shall appear that any subscriber shall have subscribed for stock in the name of any other person, or persons, or shall have procured subscriptions to be made in the name of any other person or persons, for his or her benefit, said commissioners shall deduct the whole of said shares so subscribed as aforesaid. Inhabitants of this state to be preferred in subscription for shares.

SEC. 27. *It is hereby further enacted,* That one tenth part of said stock shall be sold conditionally, namely, that at any time, during the operation of this act, it may, and shall be lawful, for the state of Vermont to take one tenth part of said stock, by said state's paying said stockholders, at said Bank, the amount by them then paid into the capital stock on such shares, and it shall be the duty of the president, directors and company of said Bank, on such payment, forthwith to transfer to this state one tenth part of said capital stock. One tenth part of stock may at any time be taken by state.

SEC. 28. *It is hereby further enacted,* That in case the Bank of the United States shall be rechartered at the next session of the Congress of the United States, and a branch of the same continued at said Burlington, this act shall be null and void. And if the charter of the said Bank of the United States shall at any time hereafter be renewed, and a branch thereof shall be continued at said Burlington, it shall be in the power of the legislature of this state, at any future session, to repeal this act. Act to be void in certain case. Act may be repealed in certain case.

[Passed Nov. 4, 1834.]

37.—An act, incorporating and establishing the Norwich University at Norwich in Windsor County.

Norwich University incorporated.

Trustees.

Powers of corporation.

May have a common seal.

Board may elect other trustees, and officers.

Annual meeting

SECTION 1. *It is hereby enacted by the General Assembly of the State of Vermont*, That there be, and hereby is, a seminary of learning instituted, established and incorporated at Norwich, in Windsor county, by the name and style of *The Norwich University*; and that Messrs. Josiah Dana, Jedediah H. Harris, Silas H. Jennison, Caleb Keith, William Noble, David P. Noyes, Samuel C. Allen, John Wright, Joshua Stowe, Isaac N. Cushman, Jonathan P. Miller, William Sweatt, Hubbard H. Winchester and Elijah Miller shall be, and hereby are, constituted a body corporate and politic, and, together with eleven others, to be by them elected at their first meeting, shall hereafter be called and known by the name of "*The Trustees of the Norwich University*," and that by that name they and their successors shall and may have perpetual succession, and shall and may be known in law, to plead and be impleaded, defend and be defended against, answer and be answered unto; and also to have, take, possess, acquire, purchase, or otherwise receive moneys, lands, tenements, hereditaments, goods, chattels, or estate, to the amount of one hundred thousand dollars, and may grant, demise, lease, use, manage, or improve the same for the good and benefit of the said University, according to their discretion.

SEC. 2. *It is hereby further enacted*, That the said trustees and their successors shall and may have a common seal, to serve and use for all causes, matters and affairs of theirs and their successors, and the same may alter or make anew as they think fit.

SEC. 3. *It is hereby further enacted*, That the said trustees may and shall, at their first meeting, elect eleven other trustees to fill up said board, also a president and vice president of said University, and a secretary and treasurer of the board, which said president shall also be an ex officio member and president of the board of trustees.

SEC. 4. *It is hereby further enacted*, That there shall be a meeting of said trustees, in one of the buildings of the institution, on the Thursday next succeeding the third Wednesday of August, annually, and at such other time and place as they shall see cause to appoint, to consult, advise, and act in and about the affairs and

business of said institution ; and at any time when it may be deemed necessary, the officers of said board may call special meetings thereof, by giving notice, by letter, to said board, eight days previous to the time of said meeting. And at any meeting of said board seven of its members shall constitute a quorum, which may legally transact any business proper for said board to transact ; and if the president, by reason of death, disability or other cause, shall not attend such meeting of the board ; then the vice president of the University shall officiate as president pro tem. of the board ; and the said trustees and their successors, in any of their meetings assembled as aforesaid, may fill any vacancy which may have occurred in their own body, or remove any of their members for misdemeanor, immorality, default or incapacity, provided that seven of said corporation shall concur therein, and shall have power to appoint professors or instructors, and all such other officers and assistants as they shall find necessary, and think fit, to appoint for the good management and promotion of said institution, and them, or any of them, may remove at their discretion.

Special meetings.
Quorum.
Vacancies how filled.
May remove members.
May appoint professors, &c.

SEC. 5. *It is hereby further enacted,* That the trustees aforesaid shall have and exercise the government of said institution, together with the care and management of all matters and affairs belonging thereto ; and shall have power to make and establish all such reasonable and proper laws, rules and regulations, as may be necessary for the governing, instructing, and education of the students, and the managing of said institution, and the same may repeal and alter, from time to time, as they may see fit, provided the same be not contrary to the constitution and laws of this state or of the United States ; and provided also, that no rules, laws or regulation of a sectarian character, either in religion or politics, shall be adopted or imposed ; nor shall any student ever be questioned or controlled on account of his religious or political belief by said board or the faculty of said institution, or any of them, either directly or indirectly, and said laws, rules and regulations shall be laid before the legislature of this state, whenever required by that body, and may by them be disallowed, altered or repealed.

Powers of trustees.
Proviso.
No regulation of sectarian character to be made, &c.
By-laws to be laid before legislature when required.

SEC. 6. *It is hereby further enacted,* That the said board shall be required to furnish at said institution,

Course of military instruction, and in engineering to be furnished. constantly, a course of military instruction, both theoretical and practical, and also in civil engineering, and the practical sciences generally. And the president of said institution, with the consent of the trustees, shall have power to give and confer all such diplomas, degrees, honors or licenses, as are usually given or conferred in colleges or universities, at their discretion, provided however, that in so doing they shall have respect to the morals and merits of the candidate alone.

Diplomas.

Proviso.

Persons of officers and students exempt from taxation. *SEC. 7. It is hereby further enacted,* That the persons of the president, vice president, professors, instructors or assistants, and students shall be exempted from all rates, taxes, or military duties. And the buildings belonging to said institution, and all lands necessary for exercise, agricultural and horticultural purpose, and other conveniences, not, however, exceeding two hundred acres, shall be exempted from all taxes or rates whatever.

Also buildings and lands.

Governor to issue charter to said board.

SEC. 8. It is hereby further enacted, That the governor of this state be, and hereby is, empowered and required to issue to said trustees and to their successors a charter of incorporation, made in due form of law, agreeably to this act, previous to the first meeting of said trustees, which shall take place at the University buildings on the first Wednesday of December A. D. one thousand eight hundred and thirty-four.

First meeting.

Act may be altered or repealed.

SEC. 9. Provided nevertheless, and it is hereby further enacted, That the legislature shall have power to alter, amend or disannul said charter, whenever sufficient cause for so doing shall, in their estimation, exist,—any thing in this act to the contrary notwithstanding.

[Passed Nov. 6, 1834.]

38.—An act, to incorporate the North Bennington Fire Company.

Persons incorporated.

SECTION 1. It is hereby enacted by the General Assembly of the State of Vermont, That Asa Doty, George Briggs, Paul Boynton, Nathan Bowen, Charles S. Wright, Eli Waste, William J. Watson, William Robinson, Norman Blackmer, Lewis Beach, Truman Estes, Hiram Richardson, Amos A. Jones, Sidney Colvin and Pier-

pont E. Ball, and their associates and successors, and they hereby are, constituted and appointed a body politic and corporate, to all intents and purposes, by the name of *The North Bennington Fire Company*, and by that name may sue and be sued, plead and be impleaded, and may purchase and hold real estate to the amount of one thousand dollars, to themselves and successors, and may also hold personal estate to the amount of two thousand dollars, including an engine or engines, and apparatus appertaining to the same, and may have a common seal, and shall have and enjoy all the rights and privileges which are incident to corporations. Powers and privileges.

SEC. 2. *It is hereby further enacted*, That the first meeting of said corporation shall be holden at the dwelling house of Mr. Ford, innkeeper in the village of North Bennington, on the second Monday of January, one thousand eight hundred and thirty-five, for the purpose of choosing such officers as may be then deemed proper and necessary, and establish a mode of calling future meetings. And the said corporation may, at said meeting, and at all other meetings legally holden, make and ordain by-laws, rules and regulations, and the same repeal and alter at pleasure, to carry into effect the objects of said corporation. First meeting.
May make by-laws.

SEC. 3. *It is hereby further enacted*, That such persons, not exceeding twelve, as said corporation may from time to time elect, by ballot, as fire wardens, and having with them some distinguishing badge of their office, fixed upon by said corporation, be, and they are hereby, empowered, in times of fire, to demand and require assistance from any of the inhabitants residing within the limits laid out for said village by the selectmen of the town of Bennington, and others who may be present, to extinguish and prevent the spreading of such fire, and to remove goods and effects out of any house, stores, or other places, endangered by fire; and a majority of said fire wardens are hereby further empowered to require and demand assistance from any of the inhabitants of said village, or town, to pull down or remove any building, whenever it shall be judged necessary by a majority of the fire wardens present; and the said fire wardens are hereby empowered to suppress any tumults and disorders, and direct the labor of all persons present during such fires;—and if Fire wardens.
Powers and duties of wardens.

Penalty for disobeying orders of wardens.

any person shall refuse to obey the orders of said fire wardens, in any manner authorized by this act, such offender shall, on conviction thereof before any justice of the peace for the county of Bennington, forfeit and pay a fine, not exceeding seven dollars, to the treasurer of said corporation.—*Provided*, that such offender be prosecuted, by action of debt, brought by any warden in the name of said treasurer as aforesaid, within ninety days from the time of committing such offence.

Proviso.

Bounds of said corporation how extending.

SEC. 4. *It is hereby further enacted*, That the bounds of said corporation, for the purpose of pulling down or removing buildings, shall extend to the limits of said village as the same is, or shall hereafter be, laid out by the selectmen of the town of Bennington, and no further.

May establish fines for breach of by-laws.

SEC. 5. *It is hereby further enacted*, That the said corporation shall have power to impose such fines, for the neglect of duties, as shall be, by the by-laws of said corporation, enjoined upon the members thereof; and shall also have power to regulate the keeping of all combustible materials and substances, within the limits of said village.

May regulate the keeping of combustibles.

Exemption from military duty.

SEC. 6. *It is hereby further enacted*, That it shall be the duty of the clerk of any engine company, that may be formed under the direction of said corporation, to issue a certificate to any person becoming a member of such company, certifying the membership of such person, and every person while actually a member of such company shall, in time of peace, be exempt from military duty under the laws of this state;—*Provided*, that the number of persons so exempted shall not at any time exceed fifteen to each good sized fire engine belonging to said company, and kept in good repair. *And provided also*, That nothing in this act shall be so construed as to prevent any future legislature from altering, amending or repealing the same.

First proviso.

Second proviso.

[Passed Nov. 6, 1834.]

39.—An act, to incorporate certain persons therein named by the name of the Otter Creek Glass Company.

Persons incorporated.

SECTION 1. *It is hereby enacted by the General Assembly of the State of Vermont*, That Jahaziel Sherman, Villee

Lawrence, Samuel P. Strong, William H. White, Horace Onion, Enoch D. Woodbridge and Rodman Sherman, and their associates and successors, be, and they hereby are, made and constituted a body corporate and politic, by the name and style of *The Otter Creek Glass Company*, for the purpose of manufacturing glass in its various branches, at the City of Vergennes, in the county of Addison, and by the name aforesaid, may sue and be sued, may have a common seal, and may enjoy all privileges by law incident to corporations.

Object of corporation.

Powers and privileges.

SEC. 2. *It is hereby further enacted*, That said corporation may hold real and personal estate to the value of sixty thousand dollars.

Real and personal estate.

SEC. 3. *It is hereby further enacted*, That all the officers, workmen and servants of said corporation, who are engaged in attending the fires, working out the metals, and other in-door operations, or in superintending the same, as the common council of the said city of Vergennes may from time to time deem necessary, shall be exempted from all military duty.

Officers, workmen, &c. to be exempt from military duty.

SEC. 4. *It is hereby further enacted*, That the first meeting of said corporation shall be holden, without further public notice, at the hotel now kept by Calvin H. Smith in said city of Vergennes, on the first Tuesday of January next; and an annual meeting thereof shall thereafter be holden on the first Tuesday of January in each year, at such place as the said corporation shall from time to time direct, at which meetings the said corporation shall choose a clerk, and such other officers as shall be judged expedient, which said officers shall continue in office until the time of the next annual meeting. And said corporation shall also have power at such meetings to divide the capital stock into as many shares as may be thought fit, each of which shall entitle its proprietor to one vote, either by person or by proxy, and to prescribe the mode of transferring the stock of said company, to lay assessments on the shares of the said stockholders, and enforce the payment of the same upon the pain of the forfeiture of said shares, and all previous payment for the benefit of the company, and to make by-laws and ordinances, not repugnant to the constitution and laws of this or of the United States, for the government of said corporation.

First meeting.

Annual meetings.

Officers.

May divide stock into shares &c.

By-laws.

SEC. 5. *It is hereby further enacted*, That in case any

In case no election shall not be made on the day herein appointed for the annual meeting of said corporation, the said corporation shall not therefor be dissolved, but the clerk shall be deemed to continue in office, and may

Further provision. warn a subsequent meeting of the stockholders by public notice thereof in a public paper printed at said city of Vergennes or its vicinity, at least ten days previous to said meeting, and the meeting so warned and holden shall be deemed equivalent to an annual meeting.

Privileges of this act to be under control of legislature. SEC. 6. *It is hereby further enacted,* That all the privileges of this act shall be under the control of this or any future legislature of this state, so as to repeal, alter or amend the same, at pleasure, as the public good may require.

[Passed Nov. 6, 1834.]

40.—An act, to incorporate certain persons therein named by the name of the Pittsford Glass Manufacturing Company.

Persons incorporated.

SECTION 1. *It is hereby enacted by the General Assembly of the State of Vermont,* That Simeon Granger, Chapman Hitchcock, Elijah Brown, Lyman Granger, Amos Hitchcock, Chester Granger, and Edward L. Granger, and their associates and successors, be, and they hereby are, made and constituted a body corporate and politic by the name and style of *The Pittsford Glass Manufacturing Company*, for the purpose of manufacturing glass, in all its branches, at Pittsford, in the county of Rutland, and by the name aforesaid may sue and be sued, may have a common seal, and may enjoy all privileges by law incident to corporations.

Objects of corporation.

Powers and privileges.

Real and personal estate.

SEC. 2. *It is hereby further enacted,* That said corporation may hold real and personal estate, to the value of one hundred thousand dollars.

Officers, workmen &c. exempt from military duty.

SEC. 3. *It is hereby further enacted,* That all the officers, workmen and servants of said corporation, who are engaged in tending the fires, working out the metals, and other in-door operations; or in superintending the same, as the selectmen of the town of Pittsford may from time to time deem necessary, shall be exempted from all military duty.

SEC. 4. *It is hereby further enacted,* That the first ^{First meeting.} meeting of said corporation shall be holden, without further notice, at the now dwelling-house of Elijah Brown in said Pittsford, on the first Monday of January next, and an annual meeting thereof shall thereafter ^{Annual meet-} be holden on the first Monday of January in each year, ^{ings.} at such place as the said corporation shall from time to time direct: at which meeting the said corporation shall choose a clerk, and such other officers as shall be ^{Officers.} judged expedient, which said officers shall continue in office until the time of the next annual meeting; and said corporation shall also have power at such meet- ^{May divide} ings to divide their capital stock into as many shares ^{stock into shares} as may be thought fit, each of which shall entitle its ^{&c.} proprietor to one vote, either by person or by proxy, and to prescribe the mode of transferring the stock of said company—to lay assessments on the shares of the stockholders, and enforce the payment of the same upon the pain of the forfeiture of said shares, and all previous payments for the benefit of the company—and to make by-laws and ordinances, not repugnant to ^{By-laws.} the laws or constitution of this, or the United States, for the government of said corporation.

SEC. 5. *It is hereby further enacted,* That in case no ^{In case no annu-} annual meeting shall have been holden on the day ^{al meeting is} herein appointed for the annual meeting of said corpo- ^{held, corpora-} ration, the said corporation shall not be therefor dis- ^{tion not dissolv-} solved, but the clerk shall be deemed to continue in ^{ed.} office, and may warn a subsequent meeting of the stock- ^{Further provis-} holders, by publishing notice thereof in a public news- ^{ions.} paper printed in Rutland, or its vicinity, at least ten days previous to said meeting, and the meeting so warned and holden shall be deemed equivalent to an annual meeting.

SEC. 6. *It is hereby further enacted,* That all the ^{Privileges of this} privileges of this act shall be under the control of this ^{act to be under} or any future legislature, so as to repeal, alter or amend ^{control of legis-} the same, at pleasure, as the public good may require. ^{lature.}

[Passed Nov. 6, 1834.]

Persons incorporated.

Objects of corporation.

Powers and privileges.

Proviso.

First meeting.

Quorum.

Library and cabinet not to be divided among members.

Where located.

SECTION 1. *It is hereby enacted by the General Assembly of the State of Vermont,* That Henry E. Seymour, Edward H. Billings, E. W. Marsh, Edwin Flint, Oscar F. Dana, George Wardner, C. G. Eastman, Horace Everett, Jr., George Davis, Alvi T. Twing, Charles S. Carpenter, William K. Upham, Daniel Buck, Edward A. Cahoon, Edwin Blackman, Erastus Leland, Truman W. Hinman, George Angell, Sylvester W. Hall, Norman W. Camp, John B. Johnson, Andrew I. Smith, and George Foot, and their associates and successors, members of the University of Vermont, in Burlington, be, and are hereby, constituted a body politic and corporate, for the purposes of promoting useful knowledge, and of collecting and securing a permanent library and cabinet, either or both, in said University, to be known and distinguished by the name of *The University Institute*, and by that name shall have succession, and right to sue and be sued, implead and be impleaded, to contract and be contracted with, shall have a common seal and the same alter at pleasure, shall be invested with full power of making and altering their own by-laws and regulations, to levy and collect taxes and assessments on the resident members of said society, at any meeting previously warned for that purpose, and to do all those acts which the good order and interests of said society may require : *Always provided,* That the same be not repugnant to the constitution or laws of this, or the United States.

SEC. 2. *It is hereby further enacted,* That the first meeting of said society shall be held at the hall of said society, in Burlington, on the second Saturday in November next, and that a majority of the under-graduates, members of said society, resident in Burlington, when met at said meeting, and all subsequent meetings duly notified, shall be a quorum to transact any business whatever.

Provided always, and it is hereby further enacted, That the library and cabinet, or other property of said society, shall not at any time be divided among the members of said society, and the said library and cabinet shall be permanently located in the University of Vermont.

SEC. 3. *It is hereby further enacted,* That should the

said society cease to exist, from deficiency of resident members, or any other cause whatever, its property shall become the property of the University of Vermont, to remain a permanent and perpetual fund for the use of each and all the members of the said University.

In case society
cease to exist,
property to be-
long to Universi-
ty of Vermont.

[Passed Oct. 23, 1834.]

42.—An act, to incorporate the Leland Classical and English School at Townshend.

SECTION 1. *It is hereby enacted by the General Assembly of the State of Vermont,* That there be, and hereby is, constituted and established a school for the instruction of youth in classical and English literature, in the town of Townshend, in the county of Windham in this state, and that Peter R. Taft, John Roberts, Richard M. Ely, Erastus Willard, P. B. Fisk, Chapin Howard, Daniel Cobb, William R. Shafter, Sem Pierce, Allen Goodrich, Evans Read, Samuel Gray, John Blandin Jr., Mansfield Bruce, Amherst Lamb, Cyrus Carpenter, and Jotham Burnet, and their successors, are hereby constituted a body politic and corporate, to be known and distinguished by the name of *The Leland Classical and English School*, and by that name shall have succession, and may sue and be sued, plead and be impleaded, contract and be contracted with, have a common seal and the same alter at pleasure, make and establish such by-laws, rules and regulations, as shall, from time to time, appear necessary to said corporation, not repugnant to the constitution and laws of this state, or of the United States—and may take and hold, by grant, gift, purchase or otherwise, real and personal estate to the amount of ten thousand dollars, and the same use, improve, manage and appropriate for the benefit of said school, and shall have power to fill all vacancies which may occur in said board of trustees, by death, resignation or otherwise, of any of the members of said corporation, at any meeting thereof duly warned and holden for that purpose.

Leland Classical and English School incorporated.

Persons incorporated.

Powers and privileges.

SEC. 2. *It is hereby further enacted,* That the first meeting of said corporation shall be holden at the

First meeting.

Quorum.

Proviso.

In case said first meeting is not holden, corporation not dissolved.

dwelling house of James Taggart in said Townshend, on the first Monday of January in the year one thousand eight hundred and thirty five, and that a majority of the members of said corporation when met at said meeting, and at all subsequent meetings duly notified, shall be a quorum to transact the business of said corporation. *Provided nevertheless*, said corporation shall not be dissolved in case said meeting shall not be holden on said first Monday of January, in the year one thousand eight hundred and thirty-five, but may be holden at any time thereafter; and the said Peter R. Taft, or, in his absence, any other member of said corporation, shall have power to warn the same, by publishing a notice to that effect in some newspaper printed in said county of Windham.

Privileges of this grant to be under control of legislature.

SEC. 3. *It is hereby further enacted*, That all the privileges of this act shall be under the control of this or any future legislature, so as to alter, amend, or repeal the same at pleasure, as the public good may require.
[Passed Oct. 31, 1834.]

43.—An act, incorporating the Troy Conference Academy.

Troy Conference Academy incorporated at Poultney.

SECTION 1. *It is hereby enacted by the General Assembly of the State of Vermont*, That there be, and hereby is, instituted and established, in the town of Poultney, West Village, Rutland county, a literary institution by the name of *The Troy Conference Academy*.

Trustees.

SEC. 2. *It is hereby further enacted*, That John Stanley, Benjamin Barnett, Samuel P. Hooker, Tobias Spicer, Samuel D. Furguson, Noah Levings, Sherman Miner, Peter C. Oakley, and Timothy Benedict, and their successors to be appointed in the manner hereinafter directed, shall at all times hereafter constitute a board of trustees for the said institution, and be known by the name and style of *The Trustees of the Troy Conference Academy*. And the said trustees, and their successors in office, are hereby declared, ordained, constituted and appointed a body corporate and politic, to all intents and purposes, as well in name as in fact, with all the rights, powers, privileges and immunities incident to such institution.

Trustees constituted a body politic.

SEC. 3. *It is hereby further enacted,* That the said cor- Powers of cor-
 poration shall have full powers to make and use a poration.
 common seal, and also to take, by gift, grant, purchase
 or devise, any estate, real, personal or mixed, given, or
 to be given, for the use of the said institution, or the
 promotion of education therein, to the amount of fifty
 thousand dollars, and the same to receive, hold, use
 and appropriate, in the discretion, and in pursuance of
 the will of the donors, for the said institution, and in
 promotion of the objects of its establishment; and by
 themselves, their agents or attornies, institute, main-
 tain or defend any suit or suits, which may or shall be
 sued, prosecuted, or impleaded, either in law or equi-
 ty, for the recovery or defence of any of the rights or
 property of said institution, as they shall find necessa-
 ry, and also to appoint, elect and remove, from time
 to time, such instructor or instructors, in said semina-
 ry, as they shall find necessary or expedient.

SEC. 4. *It is hereby further enacted,* That this corpo- Trustees, how
 ration shall consist of nine trustees, to be appointed appointed.
 by the Troy Annual Conference of the Methodist Epis-
 copal Church; said trustees shall be elected for three
 years, at the first meeting of the board of trustees after
 the passing of this act;—they shall proceed to class
 themselves, by lot, into three classes of three in each
 class, to be designated number one, two, three,—
 The office of the first class shall be vacated at the
 end of one year after the passing of this act; of the
 second class at the end of two years,—of the third
 class at the end of three years, in order, that three tru-
 stees may be appointed in each year hereafter;—*Pro-*
vided, however, that said trustees shall continue to act Proviso.
 until others are appointed in their place. And the Vacancies how
 said Conference may fill all vacancies which may oc- filled.
 cur by resignation, death or otherwise.

SEC. 5. *It is hereby further enacted,* That the said May. make by-
 corporation, at any meeting legally warned, shall have laws.
 full power to make any by-laws for the government of
 said institution, and the regulation and management
 of its concerns, which are not incompatible or repug-
 nant to the constitution or laws of this state, or of the
 United States.

SEC. 6. *It is hereby further enacted,* That all necessa- Property of cor-
 ry buildings of the institution, together with the lands poration to be
 to be connected therewith for the purpose of uniting exempt from
 taxation,

manual labor with education, together with all philosophical apparatus and library of the institution, shall be exempt from taxation.

First meeting.

SEC. 7. *It is hereby further enacted,* That the first meeting of the trustees shall be holden in the village of West-Poultney, on the twenty-sixth day of November, in the year of our Lord one thousand eight hundred and thirty-four, or at such time previous as shall be appointed by Tobias Spicer, who is hereby authorized to call the said meeting; and a majority of said trustees, when met, shall at all times form a quorum to transact the business of said corporation.

Quorum.

Trustees to make annual report to said Conference.

SEC. 8. *It is hereby further enacted,* That the trustees shall make an annual report, in writing, to the aforesaid conference, of the state and condition of the funds and property belonging to the said corporation; and of the number of students that shall have been taught at said academy during the preceding year.

Act shall be under control of legislature.

SEC. 9. *It is hereby further enacted,* That all the privileges of this act shall be under the control of this, or any future legislature, so as to alter, amend, or repeal the same, at pleasure, as the public good may require.

[Passed Oct. 25, 1834.]

44.—An act, to incorporate the Philological Society of Middlebury College.

Persons incorporated.

Objects of incorporation.

Name.

Powers and privileges.

SECTION 1. *It is hereby enacted by the General Assembly of the State of Vermont,* That John Hough, Edward Turner, Harvey Curtis and William H. Parker, and their associates and successors, be, and are hereby, constituted a body politic and corporate, for the purposes of promoting useful knowledge, and of establishing, enlarging, and protecting a permanent library in Middlebury College, to be known and distinguished by the name of *The Corporation of the Philological Society*: and that by the name aforesaid they shall have succession, and right to sue and be sued, plead and be impleaded, to contract and be contracted with, have a common seal, and the same alter at pleasure; shall be invested with full power of making and altering their own by-laws and regulations, to levy and collect taxes

and assessments on the members of said society, at any meeting previously warned for that purpose, and to do all those acts which the good order and interests of said society may require for the purposes aforesaid.—

Always provided, That the same be not repugnant to Proviso. the laws of this, or the United States.

SEC. 2. *It is hereby further enacted,* That the first meeting of said corporation shall be holden at the library-room of said society, in Middlebury, on the first Tuesday of December next; and that a majority of the members of said society, resident in Middlebury, when met at said meeting, and all subsequent meetings duly notified, shall be a quorum to transact any business whatever. First meeting. Quorum.

Provided always, and it is hereby further enacted, That the property of the books, which constitute, or may hereafter constitute, the library of said society, shall not, at any time, be divided among the members of said society; and the said library shall be permanently located in Middlebury College. Library not to be divided among members. Where located.

[Passed Oct. 23, 1834.]

45.—An act, incorporating the Black River Academy.

SECTION 1. *It is hereby enacted by the General Assembly of the State of Vermont,* That there be, and hereby is, instituted and established in the town of Ludlow in the county of Windsor, at the place where the building erected for the purpose now stands, a literary institution, by the name of *The Black River Academy*. Black River Academy incorporated at Ludlow.

SEC. 2. *It is hereby further enacted,* That Daniel Pack-er, Joseph M. Graves, Jabez Procter, Moses Pollard, Reuben Washburn, C. W. Hodges, Joseph Freeman, Jacob S. McCollam, John H. Cotton, Horace Fletcher, Jonathan Lawrence, Stephen Cummings, Ardain G. Taylor, Nathaniel Tolles, and Augustus Haven, and their successors, to be appointed in the manner hereinafter directed, shall at all times hereafter constitute the board of trustees for the said institution, and be known by the name and style of *The Trustees of the Black River Academy*. And the said Trustees, and their successors in office, are hereby declared, ordained, con- Trustees. Trustees constituted a body politic.

stituted and appointed a body corporate and politic, to all intents and purposes, as well in name as in fact, with all the rights, powers, privileges and immunities, incident to such institutions.

SEC. 3. *It is hereby further enacted,* That the said corporation shall have full power to make and use a common seal, and also to take, by gift, grant, purchase or devise, any estate, real, personal, or mixed, given or to be given for the use of the said institution, or the promotion of education therein, to the amount of fifty thousand dollars, and the same to receive, hold, use and appropriate in their discretion, and in pursuance of the will of the donors, for the use of the said institution, and in promotion of the objects of its establishment; and by themselves, their agents, or attorneys, to institute, maintain or defend any suit or suits, which may or shall be sued, prosecuted, or impleaded, either in law or equity, for the recovery or defence of any of the rights or property of the said institution, as they shall find necessary; and also to appoint, elect, and remove, from time to time, such instructor or instructors, and also such instructress or instructresses, in said academy, as they shall find necessary or expedient.

Powers of corporation.

May appoint instructors, &c.

Corporation may fill vacancies in the board.

SEC. 4. *It is hereby further enacted,* That when and so often as any vacancy shall occur in the said board of trustees, by reason of death, resignation or otherwise, of either or any of the members of the said board, it shall and may be lawful for the said corporation, at any regular stated meeting, or when specially notified to attend for that purpose, to elect, by ballot, such and so many as may be necessary to fill said vacancy.

SEC. 5. *It is hereby further enacted,* That the said corporation, at any meeting legally warned, shall have full power to make any by-laws, for the government of the said institution, and the regulation and management of its concerns, which are not incompatible with, or repugnant to, the constitution or laws of this state, or of the United States.

May make by-laws, &c.

Property exempt from taxation.

SEC. 6. *It is hereby further enacted,* That all necessary buildings of the said institution, together with a library and philosophical apparatus, be exempt from taxation.

SEC. 7. *It is hereby further enacted;* That the first meeting of the board of trustees be holden at the inn of John Howe, in said Ludlow, on Tuesday, the six-

First meeting.

teenth day of December, in the year of our Lord one thousand eight hundred and thirty-four, and that a majority of the members of the said corporation, when met at said meeting, shall be a quorum to transact the business of the said corporation.

SEC. 8. *It is hereby further enacted,* That all the privileges of this act shall be under the control of this or any future legislature, so as to alter, amend or repeal the same, at pleasure, as the public good may require. Privileges of this act to be under control of legislature.

[Passed Oct. 23, 1834.]

46.—An act, to incorporate the Vermont Asylum for the Insane.

SECTION 1. *It is hereby enacted by the General Assembly of the State of Vermont,* That Samuel Clark, John Holbrook, Epaphro Seymour, and John C. Holbrook, and their successors, appointed as hereinafter directed, be, and they hereby are, incorporated and made a body politic and corporate, by the name of *The Vermont Asylum for the Insane*, with all the powers and privileges incident to such corporations; and by that name may sue and be sued, plead and be impleaded, appear, prosecute and defend in all suits and actions, and shall have and use a common seal, to be by them devised, altered and renewed at their pleasure. Persons incorporated. Powers and privileges.

SEC. 2. *It is hereby further enacted,* That the said corporation may take and receive, hold, purchase and possess, of and from all persons disposed to aid the benevolent purposes of said institution, any grants and devises of lands and tenements in fee simple or otherwise, and any donations and bequests and subscriptions of money, or other property, to be used and improved for the erection, support and maintenance of an asylum as aforesaid, provided the income of said corporation, from its real and personal estate, does not exceed the sum of ten thousand dollars per annum. Corporation may receive donations of lands and other property. Proviso.

SEC. 3. *It is hereby further enacted,* That said corporation may, from time to time, make and establish such by-laws, regulations for the internal government and economy of said asylum as they may think proper, not repugnant to the constitution and laws of this or the United States; and may, at any meeting thereof May make by-laws.

Officers.

duly warned, choose all necessary and convenient officers, who shall have such power and authority, and be elected in such manner, and for such period of time, as the said corporation, by their by-laws, shall limit and direct.

Corporation may change its name.

SEC. 4. *It is hereby further enacted,* That it shall be lawful for said corporation, at any meeting duly warned for the purpose, to alter or change the name of said corporation, by substituting or adding the name of any distinguished benefactor who may make liberal contribution to the funds thereof, and, upon such change or alteration as aforesaid, the said corporation shall have a right to assume and take such name, and shall have, hold and enjoy all the powers and privileges given by this act, notwithstanding such alteration and change.

Trustees.

SEC. 5. *It is hereby further enacted,* That the said Samuel Clark, John Holbrook, Epaphro Seymour and John C. Holbrook, and their successors, not exceeding at any time four in number, shall be a board of trustees, and shall have the sole superintendence of said asylum. And in case of the decease, resignation or removal of one or more of said trustees, the survivors shall, from time to time, fill all such vacancies.

Vacancies in board how filled.

Corporation to keep books of account of all transactions, &c

SEC. 6. *It is hereby further enacted,* That, after the organization of said corporation, the said trustees shall keep, or cause to be kept, just and true books of account of all the transactions of said corporation, and shall therein enter all the funds, income, donations, receipts and expenditures thereof, which said books shall at all times be open for the inspection of the board of visitors nominated in this act. And the said trustees shall make an annual report to the General Assembly, of the amount of the funds of said asylum, the receipts and expenditures thereof, the number of patients admitted and discharged, the number cured, the state of others discharged or remaining, and such other information as may be necessary to show the effects and operations of said institution.

To make annual report to General Assembly.

Board of visitors appointed.

SEC. 7. *It is hereby further enacted,* That the judges of the court of chancery, for the time being, be, and hereby are, constituted a board of visitors of the said asylum, with authority to visit the same annually, and oftener if they think proper, to inspect the said establishment, and the actual condition of the patients there-

Their duties.

of, to examine the by-laws and regulations enacted by said corporation, and, generally, to see that the design of the institution be carried into effect in a careful, tender, and effectual manner.—And the said court of chancery shall have full power to correct any and all abuses of trust done, suffered or permitted by said corporation, or the officers thereof. Court of Chancery may correct abuses.

SEC. 8. *It is hereby further enacted,* That the said Samuel Clark, and, upon his neglect, any other member of said corporation, may call the first meeting thereof, by giving notice of the time and place of holding the same in some one of the newspapers printed in said county of Windham, at least six days previous to said meeting.—And all other meetings of said corporation shall be warned and holden in the manner provided by the by-laws thereof. First meeting. Other meetings.

SEC. 9. *It is hereby further enacted,* That the estate, both real and personal, and all other, the funds of said institution, shall, at all times hereafter, be exempt from all taxes. Property of institution to be exempt from taxation.

SEC. 10. *It is hereby further enacted,* That any future legislature shall have power to modify, alter and amend this act, so far as to provide for the more perfect and effectual accomplishment of the objects of this act. Act to be under control of legislature.
[Passed Nov. 3, 1834.]

47.—An act, to incorporate the Black River Manufacturing Company.

SECTION 1. *It is hereby enacted by the General Assembly of the State of Vermont,* That Daniel Adams, Enos Holmes, John Holmes, Mills N. Duncan, and their associates and successors, be, and hereby are, made a body politic and corporate, by the name of *The Black River Manufacturing Company*;—and by that name may sue and be sued, may have a common seal, and enjoy all the privileges incident to corporations, for the purpose of manufacturing cotton and wool, sand paper, and lead aqueduct pipe, in all their respective various branches, at the center village in Springfield. Persons incorporated. Powers of corporation. Objects of grant.

SEC. 2. *It is hereby further enacted,* That said company may possess and hold real and personal estate, to the amount of one hundred thousand dollars. May hold real and personal estate.

May divide
stock into
shares.

By-laws.

First meeting.

Officers.

Limitation.

To be under
control of legis-
lature.

SEC. 3. *It is hereby further enacted,* That said company, at any legal meeting, may have power to divide this grant into as many shares as they may think proper, and establish the mode of transferring the same, subject to attachment on mesne process and levy of execution, agreeably to the general laws of this state relative to corporate property, and make such by-laws, not repugnant to the constitution and laws of this state, nor of the United States, as may be deemed necessary.

SEC. 4. *It is hereby further enacted,* That there shall be a meeting of the corporation holden at the public house of Benjamin Sawyer, Jr. in Springfield, in Windsor county, on the first Monday of January next, at one o'clock in the afternoon, for the purpose of choosing a clerk, and such other officers as may be deemed necessary for carrying into effect this grant.

SEC. 5. *It is hereby further enacted,* That the privileges given by this act shall be limited to the term of thirty years, and at all times under the the control of the General Assembly to alter, amend or repeal, as they may deem the public good requires.

[Passed Oct. 28, 1834.]

48.—An act, to incorporate the Putney Manufacturing Company.

Persons incor-
porated.

Powers and
privileges.

SECTION 1. *It is hereby enacted by the General Assembly of the State of Vermont,* That Otis Haven, James Keyes, Horace Onion, Samuel Morgan, Samuel F. Thompson, Moses How and John Smith, and their associates and successors, be, and are hereby, constituted a body politic and corporate, to all intents and purposes, by the name of *The Putney Manufacturing Company*, at Putney in the county of Windham, and shall so continue and have succession until the first day of January, one thousand eight hundred and sixty-four, and by that name may sue and be sued, plead and be impleaded, appear, prosecute and defend in all suits and actions, may purchase, hold and convey real and personal estate, to an amount not exceeding fifty thousand dollars, may have a common seal, and shall have and enjoy all of the privileges incident to corporations,

for the purpose of manufacturing cotton and woollen goods in all their various branches. Objects of corporation.

SEC. 2. *It is hereby further enacted,* That the said Otis Haven be authorized to call the first meeting of said corporation, to be holden at Putney in the county of Windham, at such time and place as he shall appoint, at any time within one year from the passing of this act, for the purpose of choosing such officers as may be deemed necessary, by posting up notification thereof at the now inn of James Keyes in Putney, at least twelve days before said meeting, and said corporation may at said meeting, and at all other meetings legally notified, make, repeal and alter such by-laws, rules and regulations as may be thought necessary for the due regulation and management of said corporation, not repugnant to the constitution and laws of this state or of the United States. First meeting. May make by-laws.

SEC. 3. *It is hereby further enacted,* That said corporation may divide their stock into as many shares, and provide for the sale and transfer thereof, as said corporation may from time to time deem expedient. May divide stock into shares.

SEC. 4. *It is hereby further enacted,* That the property of the stockholders in said corporation shall be considered as personal property, subject to attachment and levy of execution, agreeably to the general laws of this state relative to corporate property. Shares to be deemed personal property.

SEC. 5. *It is hereby further enacted,* That all of the privileges of this act shall be under the control of this or any future legislature, so as to repeal, alter or amend at pleasure, as the public good may require. Future legislature may alter or repeal.

[Passed Nov. 6, 1834.]

49.—An act, incorporating the Ludlow Manufacturing Company.

SECTION 1. *It is hereby enacted by the General Assembly of the State of Vermont,* That Augustus Howen, Richard F. Fletcher, and Jacob Patrick, and their associates and successors, be, and hereby are, constituted a body politic and corporate, by the name of *The Ludlow Manufacturing Company*; and by that name may sue and be sued, plead and be impleaded, answer and be answered unto, may have a common seal, and the Persons incorporated. Powers and privileges.

same alter at pleasure, and enjoy all the privileges incident to corporations, for manufacturing cotton and woolen goods, in the village of Ludlow.

Objects of grant. SEC. 2. *It is hereby further enacted,* That said corporation may possess, hold, purchase and convey real and personal estate, to an amount not exceeding fifty thousand dollars.

May hold real and personal estate. SEC. 3. *It is hereby further enacted,* That said corporation may divide their stock into as many shares, and provide for the sale and transfer thereof, as said corporation may from time to time deem expedient.

May divide stock into shares. SEC. 4. *It is hereby further enacted,* That there shall be a meeting of the members of said corporation holden at the inn of John How, in Ludlow, in the county of Windsor, on the first Monday of January next, at one o'clock in the afternoon. And said corporation may, at said meeting, and all other meetings legally notified, make, alter and repeal such by-laws, rules and regulations, as may be thought necessary for the due management of said corporation, not repugnant to the laws of this state or of the United States.

First meeting. SEC. 5. *It is hereby further enacted,* That all the privileges of this act shall be under the control of this or any future legislature, so as to repeal, alter or amend the same, at their pleasure, as the public good may require.

[Passed Nov. 6, 1834.]

50.—An act, to incorporate the Bennington Cotton Company.

Persons incorporated. SECTION 1. *It is hereby enacted by the General Assembly of the State of Vermont,* That Luman Norton, Jonathan Norton, James Allen, Henry Safford, and their associates and successors, be, and they are hereby, appointed and constituted a body corporate, by the name of *The Bennington Cotton Company*; and by that name may sue and be sued, appear, prosecute and defend in all suits and actions,—may purchase, hold and convey both real and personal estate or property, to an amount not exceeding eighty thousand dollars, may have a common seal,—and shall have and enjoy all the privileges which are incident to corporations, for the purpose of manufacturing cotton goods in their various branches.

Powers and privileges.

Object of grant.

SEC. 2. *It is hereby further enacted,* That the first^{First meeting.} meeting of said corporation shall be holden at the now dwelling-house of James Allen, in Bennington, in the county of Bennington, on the first Monday in January next, for the purpose of choosing a clerk, and such other^{Officers.} officers as may be deemed necessary for carrying into effect this grant. And said corporation may, at said meeting, and all other meetings legally warned,^{By-laws.} make, repeal and alter such by-laws, rules and regulations, as may be thought necessary for the due regulation and management of said corporation; not repugnant to the laws of this state or of the United States.

SEC. 3. *It is hereby further enacted,* That said corporation shall have power to divide this grant into as many shares as they may deem proper, and establish the mode of disposing of the same; and said shares shall be deemed and considered as personal estate, and as such shall be subject to the provisions of the general law of this state incident to such corporations.^{Stock may be divided into shares.}
^{Shares to be deemed personal estate.}

SEC. 4. *It is hereby further enacted,* That the privileges given by this act shall be under the control of this or any future legislature, so as to alter, amend or repeal the same, as the public good may require.^{Privileges of this act shall be under control of legislature.}

[Passed Nov. 6, 1834.]

51.—An act, incorporating the Woodstock Manufacturing Company.

SECTION 1. *It is hereby enacted by the General Assembly of the State of Vermont,* That John Moulton, Norman Williams, George W. Rice, and Oliver P. Chandler,^{Persons incorporated.} and their associates and successors, be, and hereby are, constituted a body politic and corporate, to all intents and purposes, by the name of *The Woodstock Manufacturing Company*; and shall so continue and have succession until the first day of January, which shall be in the year of our Lord one thousand eight hundred and sixty-five; and by that name may sue and be sued, plead and be impleaded, appear, prosecute and defend in all suits and actions,—may purchase, hold and convey real and personal estate to an amount not exceeding twenty thousand dollars, may have a common seal, and shall have and enjoy all the privileges inci-^{Powers & privileges.}

Object of corporation.

dent to corporations, for the purpose of manufacturing cotton and woollen yarn and cloth in all its various branches.

First meeting.

SEC. 2. *It is hereby further enacted,* That the said John Moulton be authorized to call the first meeting of said corporation, to be holden at Woodstock, in the county of Windsor, at such time and place as he shall appoint; at any time within one year from the passing of this act, for the purpose of choosing such officers as may be deemed necessary, by posting up a notification thereof, at the dwelling-house of Robert Barker in said Woodstock, at least twelve days before said meeting. And said corporation may at such meeting, and at all other meetings legally notified, make, repeal, and alter such by-laws, rules and regulations, as may be thought necessary for the due regulation and management of said corporation, not repugnant to the laws of this state, or of the United States.

By-laws.

Corporation may divide stock into shares.

SEC. 3. *It is hereby further enacted,* That the said corporation may divide their stock into as many shares, and provide for the sale and mode of transfer thereof, as said corporation may, from time to time, deem expedient.

Shares to be deemed personal estate.

SEC. 4. *It is hereby further enacted,* That the property of the stockholders in said corporation shall be considered as personal property, and shall be holden as such subject to attachment on mesne process and levy of execution, agreeably to the general laws of this state relative to corporate property.

Company not to use their funds for other purpose.

SEC. 5. *It is hereby further enacted,* That it shall not be lawful for the said company to use their funds, or any part thereof, for any other purpose than those specified by this act.

Act to be under control of legislature.

SEC. 6. *It is hereby further enacted,* That this act shall, at all times, be under the control of the General Assembly to alter, amend, or repeal, as they may deem the public good requires.

[Passed Nov. 6, 1834.]

52.—An act, to incorporate the Weathersfield Manufacturing Company.

Persons incorporated.

SECTION 1. *It is hereby enacted by the General Assembly of the State of Vermont,* That Francis Kidder, Jo-

seph Kidder, Francis K. Nichols, Seth Nichols and Cyrus Boynton, and their associates and successors, be, and they are hereby, constituted a body politic and corporate, to all intents and purposes, by the name of *The Weathersfield Manufacturing Company*, and by that Name. name may sue and be sued, implead and be impleaded, Powers and appear, prosecute and defend in all suits and actions, privileges. both in law and equity; may purchase, hold and convey real and personal estate to any amount not exceeding one hundred thousand dollars; may have a common seal, and shall have and enjoy all the rights and privileges incident to corporations, for the purpose of manufacturing cotton and woolen goods in all their varieties and various branches. Object of grant.

SEC. 2. *It is hereby further enacted*, That the first First meeting. meeting of said corporation shall be holden at the now dwelling house of David Paul, in Perkinsville, in the town of Weathersfield and county of Windsor, at any time to be mutually agreed upon by the persons named in this act, before the first day of January in the year of our Lord one thousand eight hundred and thirty-six; at which meeting, and at all other meetings legally notified, said corporation may make, repeal and alter such by-laws, rules and regulations, as may be By-laws. thought necessary for the due regulation and management of said corporation, not repugnant to the constitution and laws of this state or of the United States.

SEC. 3. *It is hereby further enacted*, That the said corporation may divide their stock into as many shares, May divide grant into shares. and provide for the sale and transfer thereof, as said corporation shall, from time to time, deem expedient.

SEC. 4. *It is hereby further enacted*, That the privileges of this act, shall at all times, be under the control Privileges of this act to be under control of of the legislature of this state, so as to alter, amend, legislature. or repeal the same, whenever the public good may require.

[Passed Oct. 25, 1834.]

53.—An act, to incorporate the Montpelier Manufacturing Company.

SECTION 1. *It is hereby enacted by the General Assembly of the State of Vermont*, That John Spalding, Elisha Persons incorporated.

Name. P. Jewett, Jonathan P. Miller, and their associates and successors, be, and hereby are, made a body politic and corporate, by the name of *The Montpelier Manufacturing Company*; and by that name may sue and be sued, and have a common seal, and enjoy all the privileges incident to corporations, for manufacturing cotton and wool at the falls of Onion River, in the vicinity of Montpelier village.

Powers and privileges. SEC. 2. *It is hereby further enacted*, That said company may possess and hold real and personal estate, to the amount of one hundred thousand dollars.

Objects of corporation. SEC. 3. *It is hereby further enacted*, That said company, at any legal meeting, may have power to divide this grant into as many shares as they may think proper, and establish the mode of transferring the same, and to make such by-laws, not repugnant to the constitution and laws of this state, nor of the United States, as may be deemed necessary.

Real and personal estate. SEC. 4. *It is hereby further enacted*, That there shall be a meeting of the corporation, holden at the public house of Mahlon Cottrill, in Montpelier village, in Washington county, on the first Monday of January next, at one o'clock in the afternoon, for the purpose of choosing a clerk, and such other officers as may be deemed necessary for carrying into effect this grant.

May divide grant into shares. SEC. 5. *It is hereby further enacted*, That this act shall at all times be under the control of the General Assembly to alter, amend or repeal, as they may deem the public good requires.

[Passed Nov. 6, 1834.]

54.—An act, to incorporate the Upper Falls Manufacturing Company in Perkinsville in the County of Windsor.

Persons incorporated. SECTION 1. *It is hereby enacted by the General Assembly of the State of Vermont*, That Joseph R. Williams, Robert W. French, John Dunbar, Benjamin Chillson, and Jonathan Lawrence, of Perkinsville, in the county of Windsor, and their associates and successors, be, and they hereby are, constituted a body politic and corporate, to all intents and purposes, by the name of *The Upper Falls Manufacturing Company*; and by that

name may sue and be sued, implead and be impleaded, Powers of corporation. appear, prosecute and defend in all suits and actions, both in law and equity; may purchase, hold and convey real and personal estate to any amount, not exceeding one hundred thousand dollars; may have a common seal, and shall have and enjoy all the rights and privileges incident to corporations, for the purpose Objects of grant. of manufacturing cotton and woolen goods in all their various branches.

SEC. 2. *It is hereby further enacted,* That the first First meeting. meeting of said corporation shall be warned by Joseph R. Williams, Esq., to be holden at his dwelling house in Weathersfield, on some day to be by him designated for that purpose, within one year from the passing of this act, by a notification posted up in two conspicuous places in Perkinsville in said town of Weathersfield, at least six days previous to said time of meeting—at which meeting, and all other meetings legally By-laws. notified, said corporation may make, repeal, alter or amend such by-laws, rules and regulations, as may be thought necessary and expedient, for the due regulation and management of said corporation, not repugnant to the laws of this state nor of the United States.

SEC. 3. *It is hereby further enacted,* That the said corporation may divide their stock into as many shares, May divide stock into shares. and provide for the sale and transfer thereof, as said corporation shall, from time to time, deem proper and expedient.

SEC. 4. *It is hereby further enacted,* That the privileges of this act shall, at all times, be under the control Privileges of this act to be under control of legislature. of the legislature of this state, so as to alter, amend or repeal the same, whenever the public good may require.

[Passed Oct. 25, 1834.]

55.—An act, to incorporate certain persons therein named by the name of the St. Albans Dock Company.

SECTION 1. *It is hereby enacted by the General Assembly of the State of Vermont,* That Albert S. Burton, Persons incorporated. Oscar A. Burton and Ralph Lasell, and their associates and successors, be, and they are, hereby made and con-

Powers and privileges.	stituted a body corporate and politic, by the name and style of <i>The St. Albans Dock Company</i> ; and by that name may sue and be sued, may have a common seal, and may enjoy all the privileges by law incident to a corporation, for the purpose of erecting wharves and docks in St. Albans Bay.
Object of grant.	
First meeting.	SEC. 2. <i>It is hereby further enacted</i> , That the first meeting of said corporation shall be holden, without further public notice, at the inn of John R. Danforth, in St. Albans, on the first Monday of December, A. D. one thousand eight hundred and thirty-four, and the
Annual meeting	annual meeting shall be holden on the first Monday of January in each year thereafter, at such place as said corporation shall from time to time direct: at which
Officers.	meeting said corporation may choose a clerk, and such other officers as shall be judged necessary and expedient, which said officers shall continue in office until the time of the next annual meeting; and said corporation shall have power at such meeting to divide their
Stock may be divided into shares.	stock into as many shares as may be thought fit, each of which shall entitle its proprietor to one vote, either in person or by proxy; and to prescribe the mode of transferring the stock of said company, to lay assessments on the shares of the stockholders, and enforce the payment of the same, upon pain of forfeiture of said shares; and all previous payments, for the benefit of
By-laws.	said company; and to make by-laws and ordinances, not repugnant to the laws of this state, for the government of said corporation.
Corporation not dissolved for neglect to appoint officers.	SEC. 3. <i>It is hereby further enacted</i> , That in case any election shall not be made on the day herein appointed for the annual meeting of said corporation, the said corporation shall not therefor be dissolved, but the clerk shall be deemed to continue in office, and may warn a subsequent meeting of the stockholders, by publishing a notice thereof in a public paper printed at St. Albans or its vicinity, at least ten days previous to their meeting; and the meeting so warned and holden, shall be deemed equivalent to an annual meeting.
Future legislature may alter or repeal.	SEC. 4. <i>It is hereby further enacted</i> , That all the benefits and privileges of this act, shall be under the control of any future legislature, so as to alter, amend or repeal the same.

[Passed Nov. 6, 1834.]

56.—An act, to incorporate Goshen Turnpike Company.

SECTION 1. *It is hereby enacted by the General Assembly of the State of Vermont,* That John Conant, Moses Cowan, Francis Brown, Nathan Capen, John Trask and I. F. Tilden, and their associates, their heirs and assigns, and their successors, be, and they are hereby, constituted a corporation by the name of *The Goshen Turnpike Company*; and by that name may sue and be sued, plead and be impleaded, may have a common seal, to be by them altered at pleasure, and shall enjoy all the powers and privileges incident to a corporation, for the purpose of laying out, making, altering, and keeping in repair a turnpike from the foot of the hill near Blake's furnace in Brandon, in the county of Rutland, to Jones' saw-mill in Goshen, in the county of Addison; or from and to such place or places as the committee, hereinafter named, shall determine upon in said towns of Brandon and Goshen; said road to be four rods wide, and the path for travelling not less than eighteen feet wide.

SEC. 2. *It is hereby further enacted,* That the first meeting of said corporation shall be holden at the dwelling house of William Field, in Brandon, on the first Monday of January next, at ten o'clock in the forenoon, for the purpose of choosing a president, clerk, and five directors, and such other officers as they may think proper; and said corporation may, from time to time, establish such by-laws, not repugnant to the constitution and laws of this state, as they may think proper.

SEC. 3. *It is hereby further enacted,* That E. N. Briggs, of Salisbury, J. A. Conant, of Brandon, and E. D. Briggs, of Rochester, be, and hereby are, appointed a committee to lay out and survey said road; and said corporation shall cause the doings of said committee to be recorded in the town clerk's office in the towns of Brandon and Goshen; and said committee shall assess such damages as, in their opinion, ought in equity to be paid to any land holder through whose land said road shall be laid out, and give an order on said corporation for the payment thereof; which order shall be paid by said corporation before they shall be entitled to open and make said road through the land of the owner where damages are assessed. *Provided,* in case of the decease, resignation, or other disability of either of the committee aforesaid, the judges of the county court,

Persons incor-
porated.

Powers.

Road to be laid
out by commit-
tee.

First meeting.

Officers.

By-laws.

Committee.

Their duties.

Doings to be re-
corded.

Shall assess
damages.

Proviso.

for the county of Rutland, shall have the power, from time to time, to fill such vacancy.

SEC. 4. *It is hereby further enacted,* That when said turnpike shall be completed to the acceptance of the judges of the county court within and for the county of Rutland, the said corporation shall have power to erect one or two gates on said road, as they may choose, and the same remove at pleasure; and said corporation shall be, and hereby are, entitled to receive from each traveller or passenger the following rates of toll for the whole distance, to wit: for every four-wheeled carriage, drawn by two beasts, fifty cents, and for each additional beast, eight cents; for every two-wheeled pleasure carriage, drawn by one beast, twenty-five cents; for each waggon or cart, drawn by one beast, twelve cents; for each waggon or cart, drawn by two beasts, twenty-five cents, and for each additional beast eight cents; for each sulkey, drawn by one horse, twenty cents; for each sled or sleigh, drawn by one horse, ten cents; for each sled or sleigh, drawn by two beasts, twenty cents, and for each additional beast six cents; for each person and horse eight cents; for all horses, mules, or neat cattle, led or driven, two cents each; for sheep or swine at the rate of one cent per head. *Provided,* That the people inhabiting in any town through which said road shall pass shall have the right of passing and repassing, toll-free, any gate that shall, or may be, erected on said turnpike, in such town, while going to or from public worship, to or from any grist-mill, or on military duty, or about his or her common and ordinary domestic concerns.

SEC. 5. *It is hereby further enacted,* That any future legislature may, after the term of fifteen years after the completion and acceptance of said turnpike road, alter or diminish the rates of toll to be taken at the gate or gates, so to be erected, as to the legislature may appear just and equitable:—*Provided,* the same shall not be reduced at a rate affording less than twelve per cent. on the amount of expenditures made by said corporation.

SEC. 6. *It is hereby further enacted,* That if said corporation shall not complete said road, to the acceptance of the judges of the county court within and for the county of Rutland, within four years from the passing of this act, the grant of said corporation shall be

null and void. *Provided*, that, at the expiration of Proviso. twenty years from the passing of this act, it shall be in the power of the legislature to alter, amend or repeal the same.

[Passed Oct. 31, 1834.]

57.—An act, to incorporate certain persons by the name of the Third Bellows Falls Aqueduct Company.

SECTION 1. *It is hereby enacted by the General Assembly of the State of Vermont*, That William F. Hall, Henry F. Green, Russell Hyde, William Henry, William Conant, James I. Cutler, John Robertson, and Samuel H. Taylor, and their associates and successors, be, and they hereby are, made a body corporate and politic, by the name of *The Third Bellows Falls Aqueduct Company*; and by that name may sue and be sued, plead and be impleaded, may purchase, hold and convey so much personal and real estate, not exceeding four thousand dollars, as may be necessary to carry into effect the object of said association, may have a common seal, and the same alter at pleasure, and enjoy all the privileges incident to a corporation, for the purpose of making, repairing, and enjoying an aqueduct for the purpose of supplying the inhabitants of Bellows Falls village, in the town of Rockingham in Windham county, with water.

Persons incorporated.

Powers and privileges of corporation.

Object of grant.

SEC. 2. *It is hereby further enacted*, That the said company, at any legal meeting, shall have power to divide said stock into as many shares as they may deem proper, and establish the mode of transferring the same, either by private sale, or for the payment of taxes; and said corporation shall have power to make any by-laws, not repugnant to the constitution and laws of this state, for the regulation of their common interest.

Stock may be divided into shares.

By-laws.

SEC. 3. *It is hereby further enacted*, That the shares of said aqueduct shall be taken and considered as personal property, and when any share or shares shall be attached on mesne process, an attested copy of such process, and of the officer's return thereon, shall be by the officer serving the same lodged with the clerk of said corporation, otherwise the attachment shall be

Shares to be deemed personal estate.

Manner of serving process.

void; and said shares may be sold in the same manner as is provided for the sale of any other personal property, and the officer serving the same shall leave a copy of said execution, with his return thereon endorsed, with the clerk of said corporation, within twelve days next after such sale, and said share or shares so sold shall, to all intents and purposes, be vested in the purchaser.

First meeting.

SEC. 4. *It is hereby further enacted*, That the first meeting of said corporation shall be holden within one year from the passing of this act, at some place in the village of Bellows Falls, notice whereof shall be given by a notification in the newspaper printed at Bellows Falls, at least ten days before the time of meeting, signed by William F. Hall and William Conant, or either of them.

[Passed Nov. 6, 1834.]

58.—An act, incorporating the Randolph Hydraulic Company.

Persons incorporated.

SECTION 1. *It is hereby enacted by the General Assembly of the State of Vermont*, That Dudley Chase, William Nutting, Oramel Partridge, Thomas Wilbur, Joseph Blodget, Sewell Keyes, John Granger, Benjamin Griswold, Daniel Parish, Jacob K. Parish, John S. Smith and Joseph Fowler, and their associates and successors, be, and they hereby are, incorporated and constituted a body corporate to all intents and purposes, by the name of *The Randolph Hydraulic Company*; and by that name may sue and be sued, appear, prosecute and defend in all suits and actions—may purchase, hold and convey both real and personal estate, to an amount not exceeding ten thousand dollars—may have a common seal, and may have and enjoy all the privileges incident to corporations, for the purpose of supplying the inhabitants of Randolph centre village with pure running water.

Name.

Powers and privileges.

Objects of corporation.

First meeting.

SEC. 2. *It is hereby further enacted*, That the first meeting of said corporation shall be holden at the house of Erastus Frissell, in said Randolph, within three months from the passing of this act;—and that William Nutting, Oramel Partridge, and Thomas Wilbur,

or any two of them, be authorized to give notice thereof, by posting up a notification at two of the most public places in said village, at least six days before the time therein specified for holding said meeting; and said corporation may at said meeting choose such officers as they may deem proper—make necessary by-laws—establish the mode of warning future meetings, and transact any other business which they may deem proper, for the purpose of carrying into effect the object of said corporation. Further powers of corporation.

SEC. 3. *It is hereby further enacted,* That said corporation shall have power to divide their stock into as many shares as they shall think proper, which shares shall be considered personal estate to all intents and purposes, and may be transferred in such manner as said corporation shall provide by their by-laws, and may be sold for the payment of any assessments on the same, in such manner as shall be directed in the by-laws of said corporation. May divide grant into shares. Shares may be sold.

[Passed Nov. 4, 1834.]

59.—An act, extending the provisions of an act, entitled, “an act to incorporate the Rutland and Whitehall Rail Road Company.”

SECTION 1. *It is hereby enacted by the General Assembly of the State of Vermont,* That the time to open the books to receive subscriptions to the capital stock of the *Rutland and Whitehall Rail Road Company* is hereby extended to the first day of July, in the year of our Lord, one thousand eight hundred and thirty-seven, and that the times specified in said act, within which the said company are to commence and complete the construction of said road, shall be computed from the said first day of July A. D. one thousand eight hundred and thirty-seven. Time extended for carrying into effect former act

SEC. 2. *It is hereby further enacted,* That Robert Pierpoint and George T. Hodges are hereby appointed commissioners, in the place of two of the commissioners appointed by the act aforesaid, since deceased. Commissioners appointed to fill vacancies.

[Passed Nov. 6, 1834.]

60.—An act, in addition to an act, entitled, “an act to incorporate the Otter Creek and Champlain Canal Company.”

Time extended
for carrying into
effect former act

It is hereby enacted by the General Assembly of the State of Vermont, That the time to open the books, and receive subscriptions to the capital stock of said company, is hereby extended two years from and after the passing of this act, and all the limitations for carrying into effect the several provisions of the act to which this is an addition be, and they are hereby, extended two years after the passing of this act, so that the act to which this is an addition take effect as if passed at the date of this act.

[Passed Oct. 22, 1834.]

61.—An act, in addition to an act establishing an Academy in the east village of Bennington, in the county of Bennington, passed October thirtieth, one thousand eight hundred and seventeen.

Privileges of
former act ex-
tended.

It is hereby enacted by the General Assembly of the State of Vermont, That the privileges granted to the Union Academy by the first section of an act passed October thirtieth, one thousand eight hundred and seventeen, establishing an academy in the east village of Bennington, in the county of Bennington, shall extend to any place or building within said east village, erected and occupied by said Union Academy for the purposes designated in said act.

Proviso.

Privileges of
this and former
act to be under
control of legis-
lature,

Provided, That all the rights and privileges granted by this act, and the act to which this is in addition, shall always be under the control of the legislature, to alter, amend or repeal the same, as the public good may require.

[Passed Nov. 5, 1834.]

62.—An act, to revive an act incorporating the Village of Montpelier.

Former act re-
vived.

SECTION 1. *It is hereby enacted by the General Assembly of the State of Vermont,* That the act entitled, “an act to incorporate the Village of Montpelier,” passed

November ninth, one thousand eight hundred and eighteen, and the several acts in addition thereto, be, and the same are, hereby revived.

SEC. 2. *It is hereby further enacted,* That the first ^{First meeting.} meeting of said corporation for the choice of officers shall be on the first Monday of December next, to be notified by the late clerk, or either of the last bailiffs of said corporation, by a publication in the three newspapers printed in Montpelier, at least six days before said meeting; and the officers hereafter appointed ^{Officers to hold their offices until others chosen} shall hold their offices until others are chosen to succeed them.

[Passed Nov. 6, 1834.]

N

ROADS AND BRIDGES.



63.—An act, for the relief of the town of Athens.

It is hereby enacted by the General Assembly of the State of Vermont, That the town of Athens, in the county of Windham, be, and hereby is, allowed two years from the first day of October one thousand eight hundred and thirty-four, to make, complete and open so much of a certain road as lies in said Athens, laid out in the year one thousand eight hundred and thirty-three, by a committee appointed by a county court for the county of Windham, as lies between the dwelling-house of Simon Colton in Athens and the west line of Rockingham. And no action, information or indictment shall be had or maintained against said town for not having made, completed and opened said road within the time mentioned in this act.

Town of Athens allowed further time to make a certain road.

[Passed Nov. 6, 1834.]

64.—An act, extending the time allowed by law to rebuild the second West-river Bridge in Dummerston.

SECTION 1. It is hereby enacted by the General Assembly of the State of Vermont, That the corporation of the Second West-river Bridge Company be, and are hereby, allowed until the first day of January next in which to rebuild their bridge, and no omission to rebuild the same, within the time heretofore limited by law, shall be taken or deemed to be a forfeiture of the grant, any law to the contrary notwithstanding.

Corporation allowed further time to rebuild bridge.

SEC. 2. It is hereby further enacted, That this act shall take effect, and be in force, from and after the passing of the same.

This act to be in force from the passing of the same.

[Passed Nov. 6, 1834.]

65.—An act, to repeal part of an act therein mentioned.

SECTION 1. *It is hereby enacted by the General Assembly* Parts of former act repealed.
of the State of Vermont, That the second and third sections, and the providing clause in the first section of an act repealing the act incorporating the *Fairhaven Turnpike Company*, passed November fourth, one thousand eight hundred and thirty-three, be, and the same is, hereby repealed.

SEC. 2. *It is hereby further enacted,* That the said road Road declared to be a public road.
 is hereby declared to be a public road; and that the towns through which it passes shall be holden to re- Towns liable for damages, &c.
 pair the same, and for all damages in consequence of defects in said road, in the same manner as if the same had been laid and opened by said towns respectively; and that the selectmen of the several towns aforesaid Selectmen may discontinue or set over said road.
 shall have the same power to discontinue, alter or set over said road, or any part thereof, as though the same had been originally laid out by such selectmen.

[Passed Oct. 28, 1834.]

66.—An act, to repeal an act therein mentioned.

SECTION 1. *It is hereby enacted by the General Assembly* Former act repealed.
of the State of Vermont, That an act, passed November seventh one thousand eight hundred and five, entitled "an act establishing a corporation by the name of the *Poultney Turnpike Company*," and all acts in addition to, and alteration thereof, be, and the same are hereby, repealed.

SEC. 2. *It is hereby further enacted,* That the said road Road declared a public road.
 is hereby declared to be a public road; and the towns through which it passes shall be holden to re- Towns liable for damages, &c.
 pair the same, and for all damages in consequence of defects in the same, in the same manner as if the same had been laid out and opened by said towns respectively.

SEC. 3. *It is hereby further enacted,* That the selectmen of the several towns aforesaid shall have the same Selectmen may discontinue road.
 power to discontinue, alter or set over said road, or any part thereof, as though the same had been originally laid out by such selectmen.

[Passed Oct. 23, 1834.]

67.—An act, empowering a committee therein mentioned to alter a certain highway.

SECTION 1. *It is hereby enacted by the General Assembly of the State of Vermont,* That Alpheus Houghton of Lyndon, Ebenezer Thompson of Danville, and Josiah Joslin of Kirby, be, and they are hereby, appointed a committee with full powers to examine a public road leading from the south end of the bridge crossing Sleeper's-river, south of St. Johnsbury plain, to Park's village in Barnet, with full powers to make such alterations thereon as the public good may require.

Committee to examine certain road.

Powers.

May set over old roads and assess damages.

Alterations shall be recorded.

Committee how paid.

Limitation.

Notice to selectmen.

Act to take effect from passing thereof.

SEC. 2. *It is hereby further enacted,* That said committee shall have full power to set over old roads, and assess such damages as may be considered just and reasonable, causing a survey of such alterations to be made, and recorded in the town clerk's office in the several towns where they shall be made, together with the sums assessed to the owner or owners of the land respectively.

SEC. 3. *It is hereby further enacted,* That said committee shall be paid for their services by those who shall apply for the alterations aforesaid; and that six months only from the time of passing this act shall be allowed for said committee to exercise the powers vested in and by this act.

SEC. 4. *It is hereby further enacted,* That the committee aforesaid shall notify some one of the selectmen, in each of the several towns where such alterations are requested to be made, of the time and place they will attend to the business of their appointment.

SEC. 5. *It is hereby further enacted,* That the provisions of this act shall take effect, and be in force, after the passing of the same.

[Passed Nov. 6, 1834.]

MISCELLANEOUS.

68.—An act, altering the name of Aaron Aldrich.

It is hereby enacted by the General Assembly of the State of Vermont, That Aaron Aldrich, of Mount Holly, in the county of Rutland, shall and may be hereafter known and called Aaron Earl.

Name of Aaron Aldrich altered.

[Passed Nov. 6, 1834.]

69.—An act, appointing a Collector in Underhill.

It is hereby enacted by the General Assembly of the State of Vermont, That, for the purpose of closing the collection and settlement of the tax assessed on the lands in the town of Underhill, in the county of Chittenden, by an act passed on the twenty-seventh day of October, in the year of our Lord one thousand eight hundred and twenty-eight, Joseph Wells of said Underhill be, and hereby is, appointed collector of said tax, in the place of Myrtis Ball, deceased. And the said Joseph Wells is hereby authorized and empowered to make and execute all deeds of conveyance of lands sold by virtue of said tax and remaining unredeemed, and all such deeds shall be as legal and valid to convey a vendue title of such lands, as if said deeds had been duly executed by the said Myrtis Ball, in his life time.

Joseph Wells appointed collector of tax assessed on Underhill in 1828.

Powers.

[Passed Oct. 28, 1834.]

70.—An act, altering the name of Rebecca Strong.

Name of Rebecca Strong altered.

It is hereby enacted by the General Assembly of the State of Vermont, That Rebecca Strong, of Barre, in the county of Washington, shall and may hereafter be known and called by the name of Rebecca Killam.

[Passed Oct. 25, 1834.]

71.—An act, altering the name of Levi Nedd.

Name of Levi Nedd altered.

It is hereby enacted by the General Assembly of the State of Vermont, That Levi Nedd, of Dover, in the county of Windham, shall and may hereafter be known and called by the name of Levi Allen.

[Passed Oct. 23, 1834.]

72.—An act, appointing a Collector in the town of West-Haven.

Gordon Cook appointed collector of taxes in West Haven.

It is hereby enacted by the General Assembly of the State of Vermont, That Gordon Cook of West-Haven be, and hereby is, appointed a collector, for the purpose of collecting the sums due and unpaid on the several rate-bills committed to Valdin Gleason, late first constable and collector of the town of West-Haven, in the county of Rutland, with the same powers, and subject to the same regulations and responsibilities, in collecting and accounting for all moneys now due and unpaid in the several tax-bills aforesaid, as are, by law, established for the collection of taxes, for which this is, and shall be, his sufficient warrant. And the several treasurers, to which the several taxes belong, are hereby directed to credit the said Valdin Gleason all moneys which shall be collected and paid over by virtue of this act, on each of said rate-bills respectively.

Treasurers to credit Valdin Gleason.

[Passed Nov. 4, 1834.]

73.—An act, directing the Quarter-Master General to furnish a field-piece to the Chelsea Artillery Company.

It is hereby enacted by the General Assembly of the State of Vermont, That the Quarter-Master General be, and he hereby is, directed to furnish a suitable piece of artillery for the use of Chelsea Artillery Company, attached to the sixth regiment, first brigade, and fourth division of the militia of this state. And, on delivery of said piece, to take a receipt, in writing, for the same of the commanding officer of said company, and such commanding officer, so receipting, and his successors in said office during their continuance in office, shall be held accountable to this state for the safe keeping of such piece of ordnance.

Quarter Master General to furnish Chelsea artillery company with field piece.

Commanding officer of company to be accountable for safe keeping.

[Passed Nov. 4, 1834.]

State of Vermont,
SECRETARY OF STATE'S OFFICE, }
 MONTPELIER, Nov. 18, 1834.

I hereby certify that the foregoing seventy-three chapters are true copies of the original acts, passed by the Legislature of this State, on file in this office.

TIMOTHY MERRILL,
Secretary of State.

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PUBLIC AND PRIVATE ACTS.

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